



# Strengthening Charleston

Assessment of the Charleston Police Department  
Response to the May 30-31, 2020 Protests/Riots  
*Preliminary Report*



September 2020

## Acknowledgements

The Charleston Police Department wishes to acknowledge and express its appreciation to the law enforcement agencies and government officials who supported CPD in its efforts on May 30 and 31, sending resources to the Peninsula without hesitation. Thank you to Governor McMaster for sending the National Guard to Charleston to assist CPD on May 31, 2020 and making those resources available thereafter. Thank you to the following agencies who answered CPD's calls for assistance: Charleston County Sheriff's Office, Berkeley County Sheriff's Office, Mt. Pleasant Police Department, North Charleston Police Department, Goose Creek Police Department, Summerville Police Department, Myrtle Beach Police Department, Sullivan's Island Police Department, South Carolina Highway Patrol, SLED, DNR, PPP, ATF and the FBI. While we reached out to many other agencies that were unable to provide resources at the time, we appreciate their consideration, nonetheless.

CPD also wishes to express its appreciation to the members of the City of Charleston Fire Department, who courageously answered numerous calls for service during a most difficult time. Thank you to the Charleston County Consolidated Dispatch Center and Charleston County EMS. CPD appreciates our partners who have continued to help with the investigation and successful prosecution of the perpetrators of these crimes, including Solicitor Scarlett Wilson and her team and U.S. Attorney for the District of South Carolina, Peter McCoy and his team and the City of Charleston Municipal Court and prosecutors.

To all of these agencies and officials— thank you for your continued support and service. As protests and civil unrest have continued to occur throughout the City, you have continued to answer the call, and for that, CPD is grateful.

Additionally, CPD wishes to acknowledge its partners within the City that came together to assist CPD in response to the riots. Thank you to Mayor Tecklenburg, the City Council, the Public Safety Committee, the Department of Livability the Police Department's professional staff and the many City departments that support the police. Your partnership and support was invaluable on the night of May 30<sup>th</sup> and you were a critical part of the response.

CPD would also like to express its deep appreciation to the men and women in uniform who served on May 30 and 31, and who continue to serve the community. Your selflessness and commitment during this most difficult time in policing is remarkable. The men and women of policing, as always, answer the call and stand in the most challenging circumstances to guarantee the Constitutional rights of protestors and fight the criminal element of rioters.

CPD is thankful to these men and women of great courage and character who have the desire to serve others over self and who care so deeply about the community that they serve. They have taken a pledge to serve with faith and honor and protect the Constitution and the community and CPD is honored and privileged to have them as part of its law enforcement family.

Finally, the Charleston Police Department would like to express its gratitude to the entire Charleston community and recognize the excellence of its citizens in handling the aftermath of the riots. In true Charlestonian fashion, following an unprecedented attack on the City, residents woke up the next day to come together to clean up. The Charleston community has been coming together ever since to put the City back on its feet, to be stronger, and better than ever before.

The community endured an appalling attack on the night of May 30, and the entire community has been affected. CPD recognizes the impact that these continued activities have had on all communities within the City. CPD will continue working hard to help all communities persevere through this time of civil unrest and to protect our City, and at the same time treat all citizens with dignity and respect.

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## Introduction

The Charleston Police Department's (CPD's) intent for this document is to provide a quality, meaningful report written with integrity and transparency. It is our belief that this After Action Review will help us better serve and protect the community. Honest and transparent self-assessment is integral to improvement, so understanding what CPD did well during the events of May 30-31, as well as how it could improve, are extremely important—not only for the policing of future events, but to instill confidence and trust in law enforcement.

It was with these principles and goals in mind that CPD appointed a task force to conduct a review of police actions and to organize and prepare an After Action Review. This task force, assembled shortly after the civil unrest, collected and reviewed information related to the events, conducted interviews of officers and Command Staff, spent many hundreds of hours listening to tapes, conducted specialty unit meetings, held after action sessions, and created detailed time-lines of events. The areas of review have been categorized as follows: Command & Control, Internal Communication, External Communication, Resource Accountability, and the Response to Civil Disturbances. The ultimate aim of this document is to further improve the practices of CPD, as well as to identify and continue with encouraging practices that are already in place.

It is also important to note that this review focuses on the police response to the element of individuals who engaged in civil unrest, whether destruction of property or violence against others. It in no way seeks to conflate this criminal element with protesters who legitimately exercised their First Amendment Rights.

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## Executive Summary

This After Action Review sets out to evaluate the police response to the protests and riots that occurred in the City of Charleston on May 30 and May 31. Identifying shortcomings, and areas in which the Charleston Police Department (CPD) can improve, will help CPD further advance in its mission to protect and serve the citizens of Charleston, SC.

While much of the focus of this After Action Review is CPD's response to the actions of a few individuals bent on violence and destruction, it is important to acknowledge that the vast majority of protesters—there were approximately 2,000 present—remained peaceful, and were legitimately exercising their First Amendment Rights; moreover, CPD stands with the mayor in condemning the excessive use of force used against George Floyd in Minneapolis, as well as elsewhere across the nation. It is deplorable and it has no place in law enforcement.

The protests of May 30-31 in Charleston, SC were a response to the unlawful killing of George Floyd on May 25, in Minneapolis, MN; indeed, events in that city triggered demonstrations across the nation. The riot on the Peninsula was nonetheless unexpected. Charleston had not seen a riot since 1919, which made this event unprecedented in modern times.<sup>1</sup> The protests remained generally peaceful throughout the day; however, a criminal element entered the Peninsula in the evening, and took the opportunity to destroy property and engage in wanton violence, both against their fellow citizens and the police. Rioters fought with the police and amongst themselves, damaged several businesses, damaged private and City property, set fires, and refused to disperse when ordered. The riot ended when CPD, and supporting agencies, regained control of the situation and dispersed the rioters, pushing them out of the area.

Many peaceful protestors descended on the Peninsula the following day and, again, a small number engaged in civil unrest, were violent, or otherwise posed a threat to public safety. Accordingly, a curfew was put in place at the end of the day on May 31 so that there would not be a repeat of the destruction of the night before.

### Command and Control

CPD had a written Incident Action Plan (IAP) in place based on the information and intelligence available for this event. There was an identified Incident Commander, Public Safety Operations Center Staff (PSOC) and Field Commanders and Officers. The unprecedented scale and nature of the unrest, about which there was no tangible intelligence, meant that CPD risked being overwhelmed. Command staff—some of whom came in voluntarily to assist—stepped in to undertake unassigned tasks and manage the situation. Inevitably, there was some duplication, since these command tasks were undertaken ad hoc.

CPD immediately adjusted its command structure on May 31 to provide a more clearly delineated Incident Command. Moving forward, CPD commanders should continue to organize responses to significant events using ICS (Incident Command System), and the Planning Section must establish

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<sup>1</sup> *New York Tribune*, May 13, 1919, p. 9 (referencing the Charleston Riot of May 10, 1919).



clear objectives, properly allocate resources, and establish a plan for the following operational period. Additional commanders and supervisors have been trained and assigned to the planning to ensure that CPD is prepared for all contingencies. CPD now has a lead field commander who will serve as a single point of contact for the Public Safety Operations Center to provide instruction and receive recommendations from the field.

### Internal Communications

CPD and all other responding agencies used a designated radio channel for communication during this event (Incident 3). CPD patrol continued using CPD Channel 1 for regular calls for service. This assured clear communication prior to the riot beginning. When CPD Channel 1 became entirely focused on responding to the riot, merging the channels or moving to one consolidated channel would have been more efficient.

Briefing officers going on duty was challenging for two reasons: first, because there was no staging area from which to conduct a brief and, second, because officers were being dispatched as soon as they became available because of the urgent need. Since this event, CPD has utilized a staging manager with a designated location for all additional resources to report and receive an initial briefing. This should be standard practice moving forward.

Internal communications to the department from PSOC were inconsistent. To ensure officer safety, CPD will assign someone to assure two-way communication between PSOC and department employees during such events. Since this event, regular updates to the department have been sent from the PSOC. Additionally, a supervisor call-out group has been created to provide a consistent and easily disseminated message to first line supervisors.

### External Communications

The Charleston Police Department used Reverse 911 during the evening of May 30<sup>th</sup> to alert individuals on the Peninsula of the riots and to shelter in place. CPD also used social media to alert citizens to the situation. CPD should partner with local media outlets to instruct the public about how to stay safe, as well as to provide regular updates of the situation, and to propose ways they can help. Using the Emergency Management Division will improve communication in such circumstances by facilitating the connection between CPD, other department heads, and political leaders, thereby easing a degree of the administrative burden placed on CPD.

The Community Outreach Division has worked with the Business & Neighborhood Services Division to create an email list for communicating upcoming events and for notifications to be made in the event of possible civil unrest.

### Tracking Resources and Personnel

Maintaining a record of personnel is required to ensure their safety and an effective use of resources; however, this was extremely challenging during this event, as officers were reporting at unspecified times to various commanders. CPD tracked officers on a whiteboard throughout this event. A properly staffed staging location will provide a systematic check-in and check-out, and will ensure every officer is accounted for and tracked.



The partnerships the City of Charleston and CPD have throughout the area proved invaluable during this event; however, keeping track of all action was challenging and, inevitably there was some overlap. A single point of contact for all agencies will resolve this issue, and ensure efficient deployment of resources.

### Response to Civil Disturbances

CPD uses a tiered response plan. Tier 1 (Small Demonstration/Protest) and Tier 2 (Expanded Demonstration/Protest) are somewhat interchangeable and the police response changes according to the size and demeanor of the crowd. Tier 3 (Demonstration/Protest with Disorderly or Destructive Behavior) involves the Civil Disturbance Unit (CDU) as a mobile field force that is equipped with full riot gear, helmet, gas mask, baton, and shields or less lethal options (if needed).

CDU trained regularly and officers were prepared to respond for this event. CPD had also trained alongside other neighboring agencies, which assured the consistency of responses between teams. There were also officers assigned to provide security for fire stations and fire trucks, as needed.

For this event, CPD did not expect civil unrest on this scale. Consequently, available resources were quickly overwhelmed and recall was not as effective as the circumstances required. There is, therefore, a need to improve the recall process to maximize the resources available.

The magnitude and unprecedented nature of the event meant it took a long time to coordinate and to digitally process prisoners. CPD has implemented an arrest processing team of Central Detectives to ensure a more efficient process.

In keeping with best practices, officers provided adequate warning for mobile field forces to don masks and gave repeated dispersal orders before deploying chemical agents<sup>2</sup> to disperse crowds. This method proved effective and CPD should ensure they retain an adequate supply, but not overstock, as the agent loses its effectiveness after a period of time. Teams should review the process for recording munition use to allow for critical analysis post event.

### Conclusion

This was undoubtedly a complex, dangerous, and highly challenging series of events. Indeed, the challenges continue, as CPD is intent on prosecuting the high-level offenders who held the city to ransom with their gratuitous violence and wanton destruction. We continue to investigate these events on a daily basis, and we will pursue prosecution to the fullest extent of the law, both in state and federal courts.

While the response of CPD resulted in no one being killed or seriously injured, and numerous individuals being charged with crimes, several businesses sustained significant property damage and those citizens caught in the riot zone experienced traumatic events. With regard to CPD, and as is evidenced in this report, many productive changes have been made or are underway to prevent these acts from occurring again. The Charleston Police Department is much more effective today because of this, and will continue to reflect on its practices and seek out areas for improvement.

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<sup>2</sup> The chemical agent used by CPD causes temporary profuse watering of the eyes and nose.

Of paramount importance to our organization is building relationships and public trust, and treating individuals with the dignity and respect they deserve, and to which they are entitled. At a time when the police find themselves at the center of national, regional, and local discourse, we are firm in our resolve to serve the community and to engage in model police practices. Our goal is to make Charleston stronger with the help of the people we serve.

Preliminary Report

# Overview of Events and Description of the CPD Response

## Preface

It is important to shed some light on the state of the world, the nation, and of the City of Charleston at the time these events occurred. In late May of 2020, the world was experiencing a pandemic. Covid-19 was widespread throughout the United States, and many citizens had been under stay-at-home orders for months. The Governor of South Carolina had declared a State of Emergency, stating that COVID-19 represented an “imminent public health emergency for the citizens of the State.”<sup>3</sup> Similarly, the City of Charleston declared a local state of emergency and, in late May, prohibited social gatherings of 10 or more persons on public streets, sidewalks, parks, and all other outdoor properties owned or operated by the City of Charleston.<sup>4</sup> The City was not issuing special events and parade permits due to COVID-19.

On May 25, 2020, George Floyd was killed while in the custody of Minneapolis police officers. Shortly thereafter, a video was released of a Minneapolis police officer pressing a knee on Mr. Floyd’s neck for several minutes while Mr. Floyd stated he could not breathe.<sup>5</sup> The result was outrage across the nation; that outrage was felt here in Charleston, as well. On Thursday, May 28, 2020, City of Charleston Police Chief Luther Reynolds described the death of George Floyd as “deplorable,” condemning the actions of the police officers involved and stating that he would not tolerate that type of behavior.

Protests erupted in Minneapolis. While most people were peaceful, some rioters looted and burned the city. Other cities followed suit and protestors and the public began demanding change in police departments.<sup>6</sup> Many of those demands had already been implemented by the Charleston Police Department. CPD already had policies in place addressing de-escalation, the duty to intervene, and a ban on chokeholds except in deadly force situations, just to name a few.<sup>7</sup> Additionally, training was already in place for CPD officers that specifically addressed the duty to intervene. The training, called “EPIC” (Ethical Policing is Contagious),<sup>8</sup> is a peer intervention program that teaches officers how to intervene to prevent wrongful action before it occurs.

Also at that time, the City of Charleston Police Department had just completed the CNA Racial Bias Audit initiated and embraced by the City of Charleston, the Mayor, the City Council, CPD and others. CPD was also in the final stages of producing the 2020-2025 Strategic Leadership Plan, which addressed various recommendations from the audit and focused the department on a progressive path of working with the community “with honest and tangible engagement.”<sup>9</sup>

In 2019, in addition training that the Civil Disturbance team regularly undergoes, the CPD required all officers to undergo 8 hours of civil disturbance unit training. CPD also ensured that its units

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<sup>3</sup> South Carolina, Office of the Governor. Executive Order 2020-08, March 13, 2020.

<sup>4</sup> City of Charleston, Emergency Ordinance 2020-070, May 28, 2020.

<sup>5</sup> Richardson, Ruth, “George Floyd: What happened in the final moments of his life,” *BBC News*, May 30, 2020.

<sup>6</sup> See, #8CANTWAIT, 8cantwait.org.

<sup>7</sup> Charleston Police Department, “Response to Resistance/Aggression – General Order 23.” Revised 2/1/17.

<sup>8</sup> epic.nola.gov

<sup>9</sup> Chief Luther Reynolds, 2020-2025 Strategic Leadership Plan

had the equipment to do their job in the event of a civil disturbance. At the time of the riots, CPD had acquired and issued a sufficient supply of equipment to each of its contingent, to including gas masks, helmets, and batons.

The following is a description of CPD's response to the protests and riots, which occurred on May 30, 2020 and May 31, 2020. The response is divided into two time-frames: (1) the protests and riots that occurred on Saturday, May 30, 2020 at 2:00 p.m. through Sunday, May 31, 2020 at 3:00 a.m. and (2) the protests that occurred on May 31, 2020 beginning at 2:00 p.m. and continuing throughout the day.<sup>10</sup>

## **Timeline**

### ***May 28, 2020 to May 29, 2020***

CPD monitors many intelligence sources and finds no local credible, verifiable threats. A Justice for George Floyd rally is scheduled to occur at Marion Square on May 30, 2020 from 2:00 to 5:00 p.m., and although there is marching expected following the rally, there is no other confirmed information. Another Justice for George Floyd group is expected at Marion Square on May 30, 2020, and is encouraging people to bring flowers.

Based on the limited information available, CPD creates an Incident Action Plan to take effect on Saturday, May 30, 2020. Although the situation does not warrant the activation of the CPD Civil Disturbance Unit (CDU) in Charleston, given the national outcry after the death of George Floyd, CPD decides to activate members of its unit to be prepared and ready to deploy to support partnering jurisdictions throughout the State, should they be needed. In Charleston, there was no confirmed information of potential violence and CPD was prepared to handle the anticipated protest. Additionally, there was no intelligence that a very large crowd would be present for the protests. At that time, Charleston had a history of having many special events and peaceful protests on the Peninsula. None of the events ended in violent riots. Therefore, given the lack of intelligence and a lack of history of rioters coming to Charleston, there was no anticipation that the day would end any differently.

CPD also communicates with the Mt. Pleasant Police Department CDU, and that unit is placed on stand-by to be utilized, if needed. Other partnering jurisdictions have been notified and are in communication with CPD.

### ***May 30, 2020***

The Public Safety Operations Center (PSOC) is opened and Command staff are assigned to oversee the protest. At 12:30 p.m., a scheduled briefing is held to take roll call and to discuss available department resources, the inspection of equipment, and the potential partial deployment of the Civil Disturbance Unit, if needed in other parts of the region or state. Although not part of the plan, several Command staff voluntarily come in to assist.

The PSOC provides situational awareness and strategic planning for the event. Incident Channel 3 is opened for CPD and surrounding agencies to communicate during the incident. CDU unit

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<sup>10</sup> Maps showing the routes of protestors and riots, calls for service and fire calls are attached for reference. See, Appendix 1.



members are deployed and the Mt. Pleasant CDU is staged and on stand-by. Patrol units, Special Weapons and Tactics (SWAT) units and Quick Reaction Squad (QRS) units are assigned to assist.

### *The Protests*

*2:00 p.m. to 4:00 p.m.*

Command staff are in the Public Safety Operations Center (PSOC) at Headquarters. CPD officers are also present in the field to monitor the demonstration. The crowd increases in size during this period and CPD and Mt. Pleasant CDU are staged for support, if necessary.

At some point during this time period, demonstrators begin marching on the streets around Marion Square; CPD units are managing the crowd, monitoring and marching with protestors, directing traffic and closing intersections, as needed. The crowd size grows to approximately 2,000 people.

The crowd remains mostly peaceful throughout this time period. At one point, protestors begin surrounding police vehicles and PSOC Command deploys CPD CDU and Mt. Pleasant CDU. A citizen states that he was hit by a car and EMS is called. The CDU units shut down an intersection, which is later opened up to ease the gathering of the crowd. The PSOC Command Plan is to let the crowd continue to march, as long as they are peaceful.

CPD continues to manage the crowd; some are at White Point Gardens. At this point, small groups are now starting to leave the area.



*Photograph taken 5/30/20 on East Bay Street*

*4:00 p.m. -5:00 p.m.*

Peaceful protesting continues, and crowd containment and traffic management continue. The number of protestors declines. At one point, vandalism is reported at White Point Gardens. A citizen has a medical event and EMS is called. PSOC is monitoring the weather and notes that rain should be moving into the Peninsula at 5:00 p.m. A few protestors are noted to have Antifa flags. Some of the groups are splitting and one group has blocked an intersection. A disturbance occurs at King and Calhoun and PSOC Command sends CPD CDU and Mt. Pleasant CDU to assist. There is a large crowd surrounding Mt. Pleasant CDU. Eventually the crowd calms down. Protestors are permitted to continue walking as long as they are not damaging property or being violent.

PSOC contacts CARTA to advise them to stop all downtown routes until further notice due to the protests.

*5:00 p.m.-6:00 p.m.*

Protestors continue marching and crowd containment and traffic management continues. PSOC continues to monitor the weather, noting that the rain should be starting in soon. At Meeting and Calhoun, protestors are challenging Mt. Pleasant CDU, but are non-violent. PSOC Command instructs Mt. Pleasant CDU to disengage if necessary to avoid escalation of the situation. Fireworks are noted. Charleston County CDU arrives and stages. Glass on one of Mount Pleasant's vehicles is destroyed. There is graffiti noted at some businesses. PSOC Command advises that the rain is coming and will disperse the crowd.

Rain comes in and the majority of the crowd disperses. PSOC Command decides to hold the day-shift over.

*6:00 p.m. - 7:00 pm*

At this time, the crowd is much smaller and is headed to the Ravenel Bridge and is being managed by CPD. PSOC Command sends Charleston County, Mt. Pleasant and CPD CDU teams to the bridge. Protestors begin going up the exit ramps and some jump the median. Vehicles are stuck in traffic and CPD is engaged in traffic management. Mt. Pleasant CDU is on the bridge and not letting anyone on. Charleston County CDU is present. There are about 100 people; 50 are on the bridge and others are in the roadway. Protestors are engaging in a sit-down in front of the CDU units. The CDU units request more support to make arrests.

CPD sends out a tweet advising motorists that protestors are walking the wrong way up on I-26 Eastbound.

*7:00 p.m. - 8:00 p.m.*

PSOC Command requests assistance for CDU units to make arrests, if needed. Protestors begin leaving the bridge area to march back to the Peninsula. PSOC advises CDU units to inform if they need to make arrests for the small group remaining and hoping they can be pushed out. CDU mobilizes to make arrests and the protestors begin walking down the ramp to Meeting Street. At that point, southbound Ravenel is re-opened. There is a report of a fire in the grass that is not confirmed.

CPD is walking with the remaining protestors and monitoring. New groups of protestors have joined the group during the march through the Peninsula. The protestors are heading back through the Peninsula to Mother Emanuel church. There are 75 protestors at Mother Emanuel, talking. New groups of protestors are moving into the area. The protestors head towards the Market.

Additional CPD Command Staff that are scheduled to be off are notified by PSOC to respond to headquarters.

### *The Riots*

*8:00 p.m. - 9:00 p.m.*

The riot begins. Rioters are in the Market area, flipping tables, smashing windows, fighting police, assaulting citizens and throwing objects and rocks at officers. A group of 25 to 30 rioters are the main attackers. Officers on scene report that the rioters are not part of the group that was out at the bridge. PSOC Command instructs CDU units to get to the Market to make arrests and deploy less lethal.<sup>11</sup> CPD Command advises CPD on the ground to arrest when support arrives. Command also advises officers to disperse the crowd. At this point, some dispatch calls can be heard on Incident Channel 3.

The riot continues and Charleston County CDU and CPD CDU units arrive to contain rioters. A group is coming up behind officers to attack them. There are rioters between the CDU units and also flanking them and attacking them. A rioter deploys a fire extinguisher.

Rioters begin moving toward Meeting Street from the Market, continuing the attack. PSOC advises to try and push the rioters north on Meeting Street. CPD Command continues to authorize arrests. Charleston Place Hotel is vandalized – bricks are thrown at windows and there is an advisement to lock the doors. Rioters are shooting off fireworks and deploying smoke bombs. CPD Command requests assistance from Berkeley County Sheriff's Office, Charleston County Sheriff's Office, Goose Creek Police Department, Mount Pleasant Police Department, North Charleston Police Department, Summerville Police Department, South Carolina Law Enforcement Division to include the South Carolina Department of Natural Resources and the South Carolina Department of Probation, Parole and Pardon. CPD Command requests any available on duty officers to respond.

Calls are made to request the assistance of the National Guard.

CPD Command authorizes less lethal and Charleston County Sheriff's Office Air support has arrived and is giving dispersal announcements. A police cruiser is set on fire, pellets are being shot at officers, and a citizen reports a shooting on King Street. CDU deploys impact munitions with no effect. There are multiple calls coming in. CPD is attempting to make arrests. CPD Command continues to authorize less lethal. CPD Command is planning to push rioters towards

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<sup>11</sup> Less lethal refers to any response to resistance and/or aggression other than that which is considered deadly force. Less lethal in this context means either: (1) chemical agents (aerosol sprays that cause profuse watering of the eyes and nose that create a sense of discomfort and disorientation); or (2) less lethal impact munitions (munitions designed to stun, temporarily incapacitate, or cause temporary discomfort to a person without penetrating the person's body). Charleston Police Department. "Response to Resistance/Aggression – General Order 23." Revised 2/1/17.



East Bay to stay away from King Street. CPD Command plans to push the rioters north and out of the Peninsula.

CPD initiates a reverse 911 call to be sent out in a one-quarter mile radius from King and Calhoun asking citizens to shelter in place.

8:57 p.m.: Reverse 911 call sent out by Charleston County Consolidated Dispatch:

“This [is the] Charleston County Consolidated Dispatch calling on behalf of the City of Charleston Police Department advising due to police activity in the downtown area for all to please secure your residence and/or businesses and shelter in place. Tune into the local media for additional information.” CCCDC.

A press conference is held with Mayor Tecklenburg and Chief Reynolds at Police Headquarters announcing a request to Charleston County to implement a curfew. Chief Reynolds implores protestors to be respectful and warns those who intend to harm citizens, businesses and the City that those actions will not be tolerated and arrests will be made.<sup>12</sup>



*Photograph taken on 5/30/20 at the corner of Meeting and Hasell*

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<sup>12</sup> Stinson, Antonio. “Countywide curfew in effect from 11:00 p.m. Saturday until 7:00 a.m. Sunday.” *Counton2.com*, May 30, 2020.

*9:00 p.m. - 10:00 p.m.*

The riot continues. Rioters are now on King Street at Charleston Place. There is continued fighting with police and destruction. There is continued advisement of less lethal. The Charleston County Air 1 helicopter assists in making dispersal announcements. SWAT is on King Street and QRV (Quick Response Vehicles) elements are patrolling King Street. Rioters are near King Street. CDU units are at King and Calhoun and Meeting and Calhoun, forming lines to push north on King. Less lethal munitions are deployed to move north on King Street. Rioters are breaking off into separate groups. Windows are being broken and looting is occurring up and down King Street. Officers are advised to make arrests, but not work alone. Reports are coming in that officers are being chased and officers continue to be attacked with bottles and other objects.

The CDU lines begin to move north on King in an effort to disperse the rioters. Rioters come out of the dark in Marion Square and attack the CDU units and flank them. CDU Units have to retreat to King and Calhoun and Calhoun and Meeting to hold the territory to keep additional rioters from going up or down King Street and wait until support arrives. Chemical agents are deployed and other less lethal munitions. Reports come in of an officer being attacked.

Charleston County announces a curfew for the County from 11:00 p.m. to 7:00 a.m.

At 9:39 p.m., the Mayor's office issues a press release announcing that City Council will be meeting at 9:45 p.m. to consider a curfew mirroring the Charleston County curfews. The City Council meets and votes in favor of a curfew from 11:00 p.m. to 7:00 a.m. for the City.

CPD sends out a tweet asking citizens to avoid the downtown area. Support from other law enforcement agencies begin to come in and are directed to the downtown area to meet with the Field Commander.

*10:00 p.m. - 11:00 p.m.*

The riot continues. More resources have arrived. CDU units at the Calhoun intersections continue to disperse with less lethal and begin moving up King Street. QRV, SLED and patrol units assist with calls for service and fire calls. The midnight shift was notified to report directly to King Street for directed patrols.

A call comes in for shots fired and an assault at Halls Chophouse. CPD arrives for assistance. Reports come in of a new crowd of 100 people coming into the Peninsula and vandalizing. A lone officer responding to calls for service on King Street is chased by a mob and assaulted. Calls continue coming in, including fire calls. Rioters are throwing objects at fire personnel.

PSOC advises all CDU units to start pushing north with Charleston County CDU. CPD CDU pushes north to Hotel Bennett. Additional units from outside agencies arrive.

*11:00 p.m. - 12:00 a.m.*

The curfew order is in place.

The riot continues. More groups are coming around to attack police. There is continued advisement of less-lethal. More support units are arriving from outside agencies. Calls to the Fire

Department continue. Additional assets that have arrived organize to push north. There is a coordinated push up St. Phillip, King and Meeting Streets to move the rioters out of the Peninsula.

CPD posts a Statement from Mayor John Tecklenburg regarding the May 30 Curfew:

“The murder of George Floyd has rightly caused outrage here and across the country. And while we as Charlestonians strongly support all of the good men and women who are peacefully and lawfully protesting that terrible crime, we cannot and will not condone acts of violence and vandalism in our city. Tonight, our police will work to contain the relatively small number of bad actors who are doing this damage. And tomorrow morning, Charlestonians of every race and station will come together to reject all forms of violence and injustice, and to affirm once again that ours is a city united in peace.” *City of Charleston press release, May 30, 2020.*

*12:00 a.m. – 1:00 a.m. May 31, 2020*

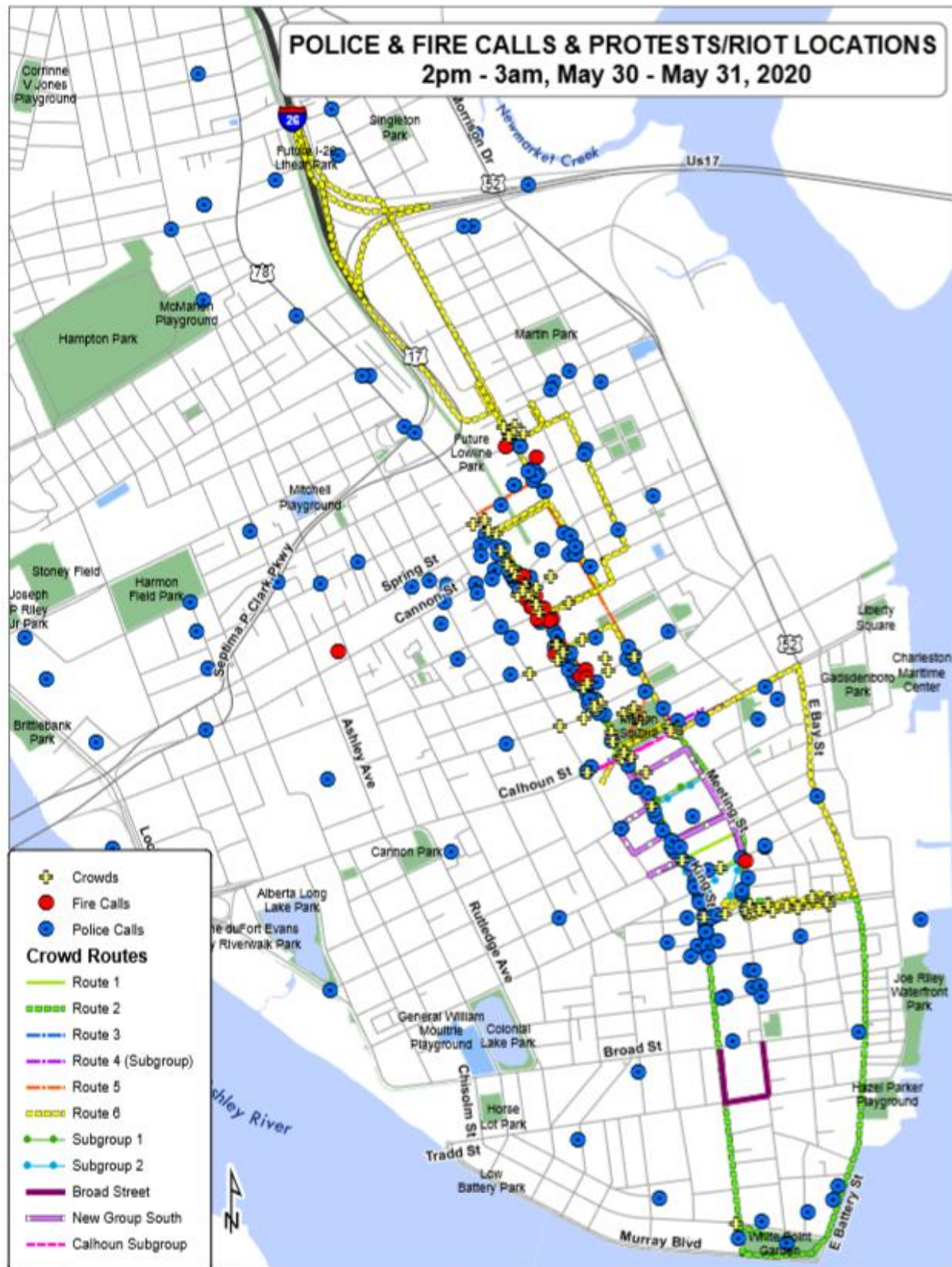
CPD CDU units and supporting agencies continue to work together and methodically move past each side street to clear every street as they move to clear the rioters out of the Peninsula. Calls for service continue; fire calls continue. Arrests are made.

*1:00 a.m. to 3:00 a.m.*

All units continue to move forward and push all rioters out of the Peninsula. Units reach Spring Street and King Street and the surrounding area is clear. Units then reverse and re-clear King Street south to Calhoun Street.



*Note:* The following map is a depiction of the routes taken by protestors and rioters, police calls and fire calls from May 30, 2020 at 2:00 p.m. to May 31, 2020 at 3:00 a.m.



### *May 31, 2020 Protests*

Intelligence indicates that there will be a protest on this date at White Point Garden; however, no other information is confirmed. There is information that other protests may occur at Marion Square and Pineapple Park (possibly referring to Waterfront Park).

#### *9:00 a.m. to 1:00 p.m.*

During this period, several protestors are at White Point Garden and the Battery. As the crowd grows to approximately 200 to 300, and 10 from an opposing group are observed at the monument, there is a request for more officers.

CPD QRS and Harbor Patrol are moved into place, as well as Mt. Pleasant CDU. The crowd grows to over 500, but remains peaceful. At one point, a large group begins pushing on the monument and CPD moves assets in place to make arrests. CPD closes down intersections and gives dispersal orders and the majority of the crowd disperses without incident.

Around the noon hour, some protestors move back towards the monument and, at one point, there are 50 to 100 protestors in the park. The protestors then begin moving out and split into multiple groups. Eventually the park is clear, save for a few protestors. There are now multiple small groups throughout the Peninsula that are mobile. Marion Square is clear. A group of 20 to 30 protestors with a group organizer walk north on the sidewalk on King Street near Market Street.

CPD posts notices on social media advising citizens of the upcoming 6:00 p.m. to 6:00 a.m. curfew and advising to stay out of the downtown area due to protest activity.

#### *1:00 p.m. to 3:00 p.m.*

Dispatch calls come in referencing protestors on King Street threatening a business owner and contractors trying to clean up. CPD deploys officers. There is a group of protestors walking near the East Bay pedestrian on-ramp to the Ravenel Bridge. The group grows to over 50 in number, and other protestors convene in the parking lot across the bridge. CPD CDU units are deployed; Mt. Pleasant CDU and CCSO CDU are also on scene. Other assets are sent.

Reports come in of vehicles stopped on the bridge with protestors blocking the north lane of travel. Mt. Pleasant CDU blocks access to the pedestrian lane on the Mt. Pleasant side of the bridge. East Bay Street is closed for safety reasons. A dispersal order is given to the crowd in the roadway impeding traffic at the East Bay pedestrian entrance. The crowd chants that they are going to Marion Square. Officers stay with the group, keeping them out of the roadway.

Dispatch has advised that a concerned citizen has relayed that tonight may be worse than the previous night. PSOC advises that SLED, DNR and PPP have cars mobile and are available to assist.

CPD issues a press release regarding response to the protests and riots and seeks public assistance in obtaining information that can lead to the arrest of individuals engaged in criminal behavior.



Chief Reynolds states that CPD “will act decisively and swiftly to those participating in [criminal] behavior in our City.”<sup>13</sup>

*3:00 p.m. to 5:00 p.m.*

During this period of time, protestors are traveling in groups that ultimately end up in Marion Square. Initially, there are groups of 40 to 50 in all four corners of Marion Square. There are 150 protestors at Mother Emanuel Church. Protestors are in the street and CPD engages in traffic management. There is a request to close off the route from the night before. There are reports of vehicles being vandalized.

At this point, numerous protestors are in the street at King and Calhoun blocking traffic. The CPD CDU unit deploys to prevent the crowd from marching southbound on King Street. There are reports of an estimated 1,000 protestors. Some of the protestors eventually move into Marion Square. CDU units from CPD, Mt. Pleasant, Charleston County and Berkeley County arrive. Objects are thrown at officers.

Several dispersal orders are given to the crowd in Marion Square. The orders direct the unlawful crowd to disperse or arrests and chemical munitions may be utilized for those who refuse to disperse. Several protestors disperse. For the protestors who fail to disperse, units begin making arrests. Some protestors engage in civil disobedience, some assault officers, and others interfere with arrests. Some pepper rounds are deployed on individuals who were throwing objects at officers and actively and aggressively approaching officers.



*Photograph taken 5/31/20 of Marion Square*

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<sup>13</sup> Chief Luther Reynolds, Charleston Police Department Press Release, May 31, 2020.

Additional units are deployed to the area as the crowd begins splitting and there are reports of two buses of protestors pulling into downtown. A crowd of 100 to 200 protestors disperses from Marion Square towards King Street. The crowd is in the roadway and dispersal orders are given. Another group of protestors is traveling northwest across the peninsula with an unknown destination. It is possible they are heading to CPD Headquarters. There is also a group of about 75 to 100 protestors at Hampton Park.

CPD advises citizens to stay out of the downtown area and Marion Square due to police activity.

*5:00 p.m. to 8:00 p.m.*

The protests continue. There are reports of rocks being thrown at officers. Additional CDU is deployed when a group from Hampton Park dons gas masks and marches back to Marion Square. At this time there are multiple mobile groups in the Peninsula. Arrests are made and chemical munitions are deployed.

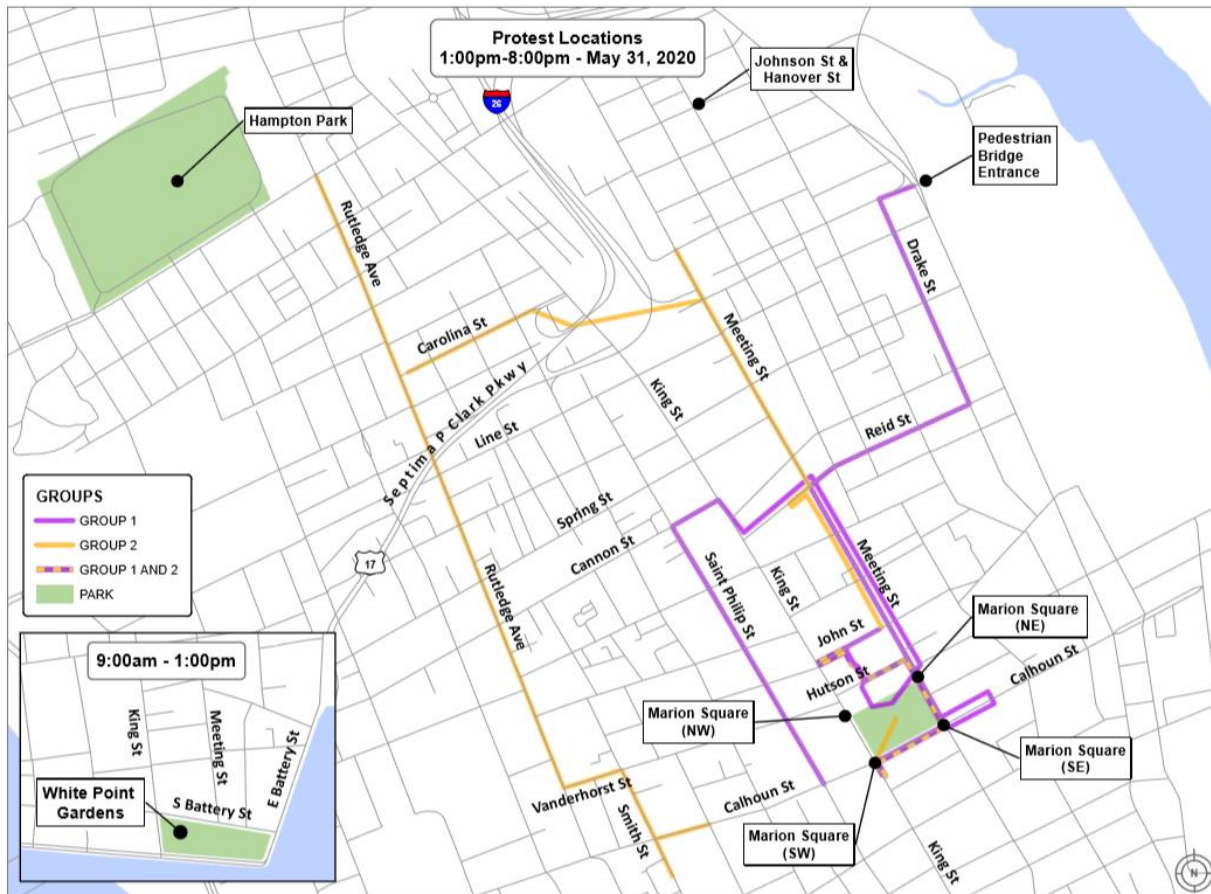
CPD announces on social media that the curfew is about to go into effect and urges people to go home.

Prior to 6:00 p.m. all units with a loudspeaker announce that the city-wide curfew begins at 6:00 p.m. At 6:00 p.m., the curfew is in place. Groups are dispersed and curfew violation arrests are made. The National Guard arrives.

At 7:00 p.m., fires are reported in the roadway in the area of America Street and Johnson Street. The Fire Department requests assistance from CPD. CDU units from CPD and other jurisdictions arrive to escort fire and engage in crowd control.



*Note:* The following map depicts the routes of the protestors from May 31, 2020 at 9:00 a.m. to 8:00 p.m.



## Officer Response

The Incident Action Plan that was created for Saturday, May 30<sup>th</sup> had fifty-one (51) officers assigned to it. These officers were represented in the PSOC, the traffic component, the Civil Disturbance Unit, and other aspects within the Incident Action Plan. On top of the initial 51 officers assigned that day, CPD deployed an additional one hundred and twenty-three (123) officers for a total of one hundred and seventy-four (174) officers deployed during the protests and riots. On May 30<sup>th</sup>, day-shift was held over, and midnight shift officers were brought in to work early.

On May 31, 2020, a total number of two hundred and four (204) CPD officers were deployed throughout the day. CPD enacted twelve hours shifts beginning day shift at 7:00 a.m. on Sunday May 31, 2020.

Please refer to the graph below which depicts the responding agencies and the total number of resources that were represented.

Resources Identified		
Agency	Staffing	
	Saturday May 30 <sup>th</sup>	Sunday May 31 <sup>st</sup>
Charleston Police Department	174	204
Berkeley County Sheriff's Office	12	17
Charleston County Sheriff's Office	23	32
Goose Creek Police Department	16	19
Mount Pleasant Police Department	40	40
North Charleston Police Department	15	0
SLED / DNR / PPP	40	22
Summerville Police Department	16	0
Sullivan's Island Police Department	0	2
National Guard	0	42
<b>Total:</b>	336	381

## Arrests

### *Arrests/Investigation*

Immediately following the riots, the Charleston Police Department began its investigation into the riots and investigators have not slowed in their relentless efforts to bring the rioters to justice. Investigators have worked hundreds of hours, including on their days off, gathering information to identify victims, reviewing hours of videos, and coordinating with law enforcement partners in an effort to make solid cases against these criminals. The Charleston community has been an essential contributing factor in this effort. CPD has received invaluable assistance from the central business district and from citizens who have provided information in response to press releases and tip lines.

The support of CPD's local law enforcement partners and prosecutors has been crucial in this effort. A coordinated effort to bring the rioters to justice is well underway, and the support of Charleston Solicitor, Scarlett Wilson and Assistant Solicitor, David Osborne has been critical to the investigation and prosecution of these cases. Additionally, CPD has received the support of City of Charleston prosecutor, Will Bryant.

Similarly, the support of federal partners has been vital to the investigation and prosecution of these cases. On July 8, 2020, Chief Luther Reynolds was invited to a meeting hosted by U.S. Senator, Tim Scott, and attended by United States Attorney General William Barr. Also in attendance were U.S. Attorney for South Carolina, Peter McCoy and South Carolina Attorney General, Alan Wilson, among many other top law enforcement officials. The purpose of the

meeting was to discuss the aftermath of the George Floyd incident, community relations and bringing safety and security to our communities. Among the topics discussed was ensuring accountability for criminals participating in non-peaceful events. During that meeting, federal officials offered their support for the investigation of, and prosecution of, the criminal cases, which was to include investigative support from the FBI and ATF. The federal partners, including Assistant U.S. Attorneys Nathan Williams and Emily Limehouse in Charleston, have followed through on that commitment, and CPD is receiving the requisite support for the investigations and the federal prosecutions, so that the cases against these individuals can be prosecuted to the fullest extent of the law.

A review of Incident Channel 3 indicates that there were clear directives to make arrests throughout the day and night, and at no point were officers told not to make arrests. Officers do not need permission to make arrests and should do so only when appropriate and when safe. Additionally, there was no “stand-down” order given on the night of the riots.<sup>14</sup> In the context of a civil disturbance and riots, there are many things that must be taken into consideration in making arrests such as strategy, planning, safety of the public and officers, location and availability of resources, while prioritizing the safety of citizens. As shown in the chart below, although only five on-view arrests were made that night, in what was a very chaotic riot, a total of 32 arrests have now been made based on a total of 104 charges. The following day, a total of 46 arrests were made with a total of 52 charges.

The following list shows the most recent arrest information, including federal, state and municipal charges related to the protests and riots of May 30 and 31, 2020.

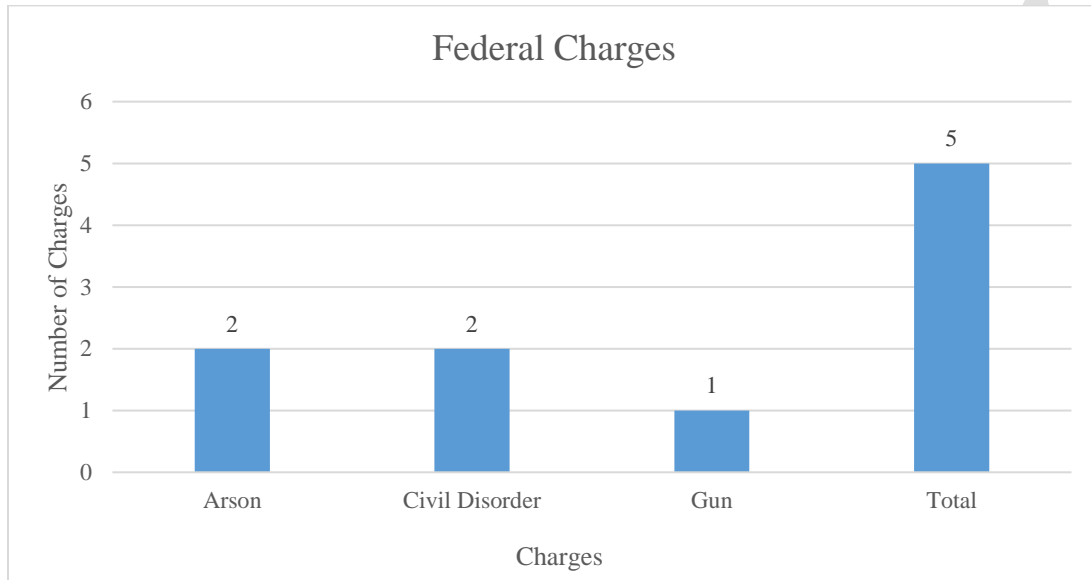
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<sup>14</sup> See, Memorandum to Corporation Counsel, Appendix 2.

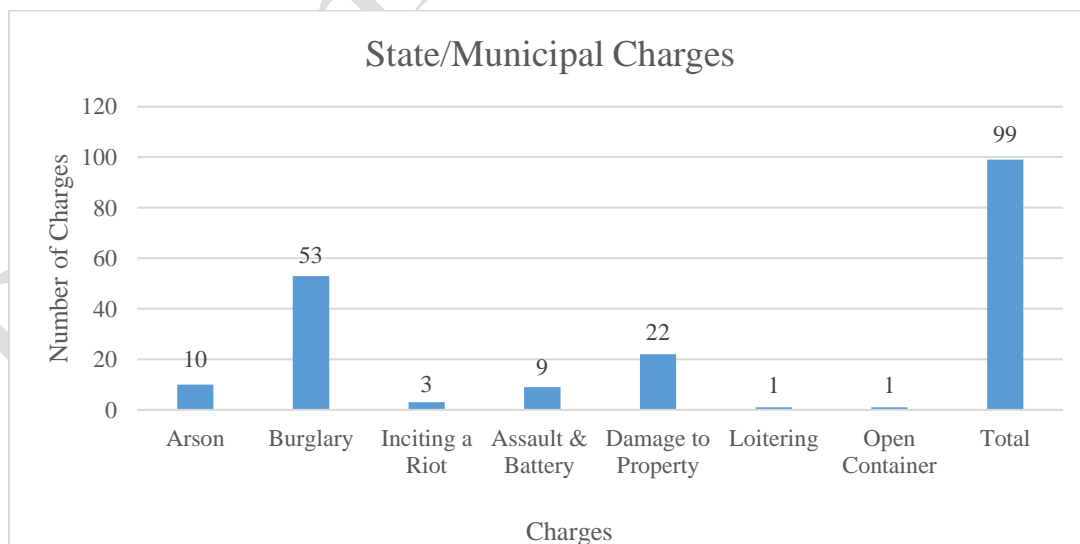
### *Arrests from the Protests and Riots of May 30-31*

**Total Number of Arrests:** **32**  
On View Arrests: 5 (Each single charges)  
Warrants Issued/Served: 27 (Total of 79 charges/warrants)

**Total Number of Warrants Obtained:** **104**  
On view state/local: 5  
State/Local Charges: 94 (15 Outstanding for 3 additional individuals)  
Federal Indictments: 5



There are a total of 5 federal charges, 4 have been confirmed and 1 is pending.  
Disposition of charges: Pending.

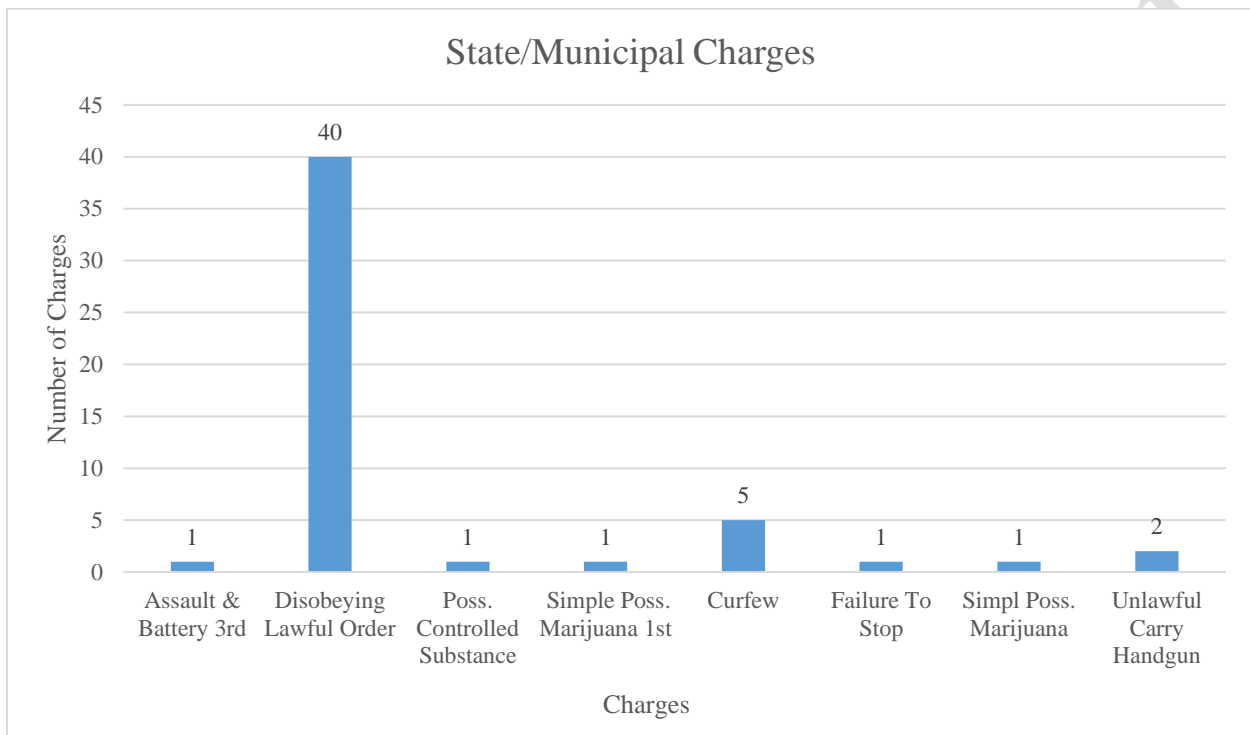


There are a total of 99 State and Municipal Charges.  
Disposition of charges: Pending.

### *Arrests from the Protests and Curfew Enforcement of May 31<sup>st</sup>*

**Total Number of Arrests:** **46**  
On View Offenders arrested: 46 (on-view arrests)  
Arrest warrants issued: 1 (Pending service for an additional charge)

**Total Number of Charges:** **52**



There are a total of 52 State and Municipal charges.

Disposition of charges: 18 cases pending; 29 have been dismissed\*

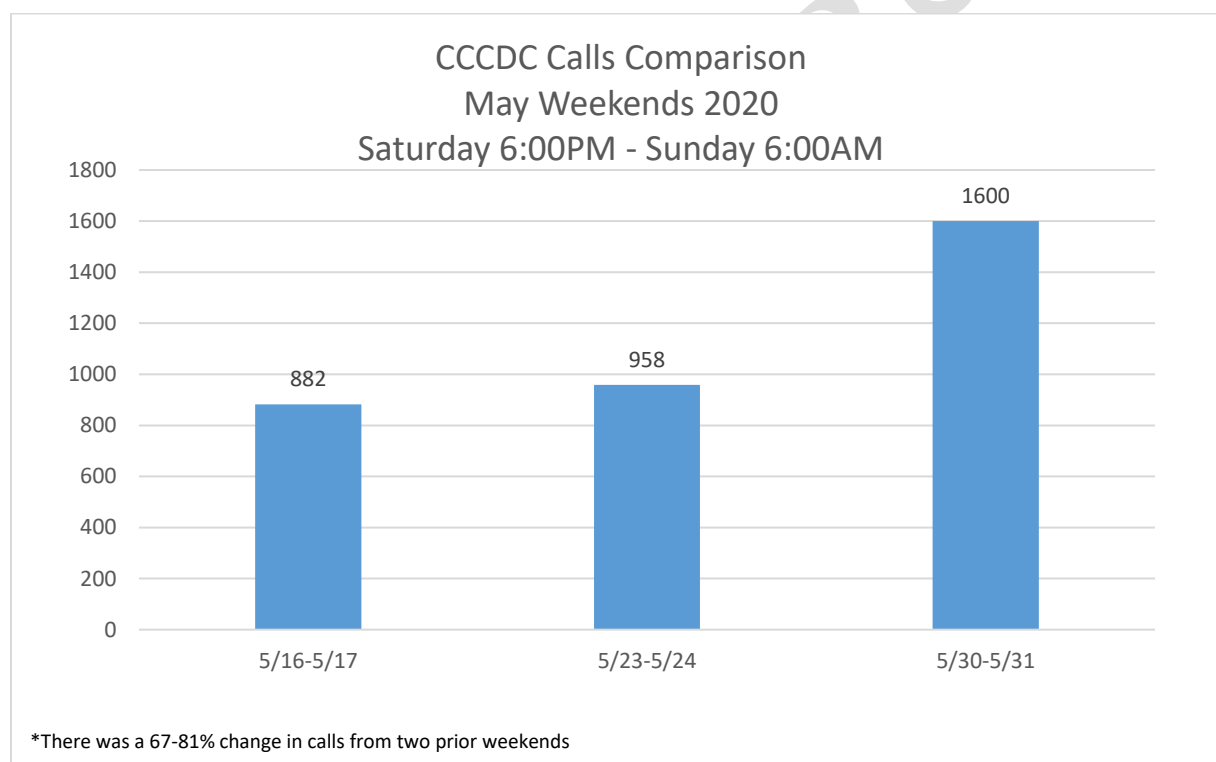
\*18 of the 47 Defendants' cases are pending. The Prosecutor dismissed the remaining 29 Defendants' cases. The Prosecutor looked at several factors in deciding to dismiss these cases, to include: civil disobedient non-violent conduct; lack of interference with arrest, resistance, other charges, record, outstanding warrants; and the age of Defendants. The remaining 18 cases involve factors such as violent conduct, interference with arrest or resisting arrest, gun charges and drug charges.

### **Calls for Service**

CPD reviewed calls for service for locations on the Peninsula that were dispatched to CPD from Saturday May, 30 2020 at 2:00 p.m. through Sunday May 31 at 3:01 a.m. In all, 238 calls for

service<sup>15</sup> were generated by the Charleston County Consolidated Dispatch Center (CCCDC) during this time period.<sup>16</sup> Calls for service included: citizens calling to report what they were seeing in person, victims reporting crimes, citizens calling from outside of the city to relay what they were watching on their cameras, police officers being flagged down by citizens, and police officers attempting to address the various issues going on. These are typical methods for creating a call with Consolidated Dispatch, but on May 30th, the volume of calls increased significantly and they were almost exclusively pertaining to the protests and riots. In addition, there were numerous calls into CCCDC that were vague and conflicted with other calls. Of note, CCCDC received over 1600 calls between 6:00 p.m. and 6:00 a.m. on May 30-31, 2020, which is nearly twice that of the previous Saturday nights.<sup>17</sup>

CCCDC Calls for Service Comparison:



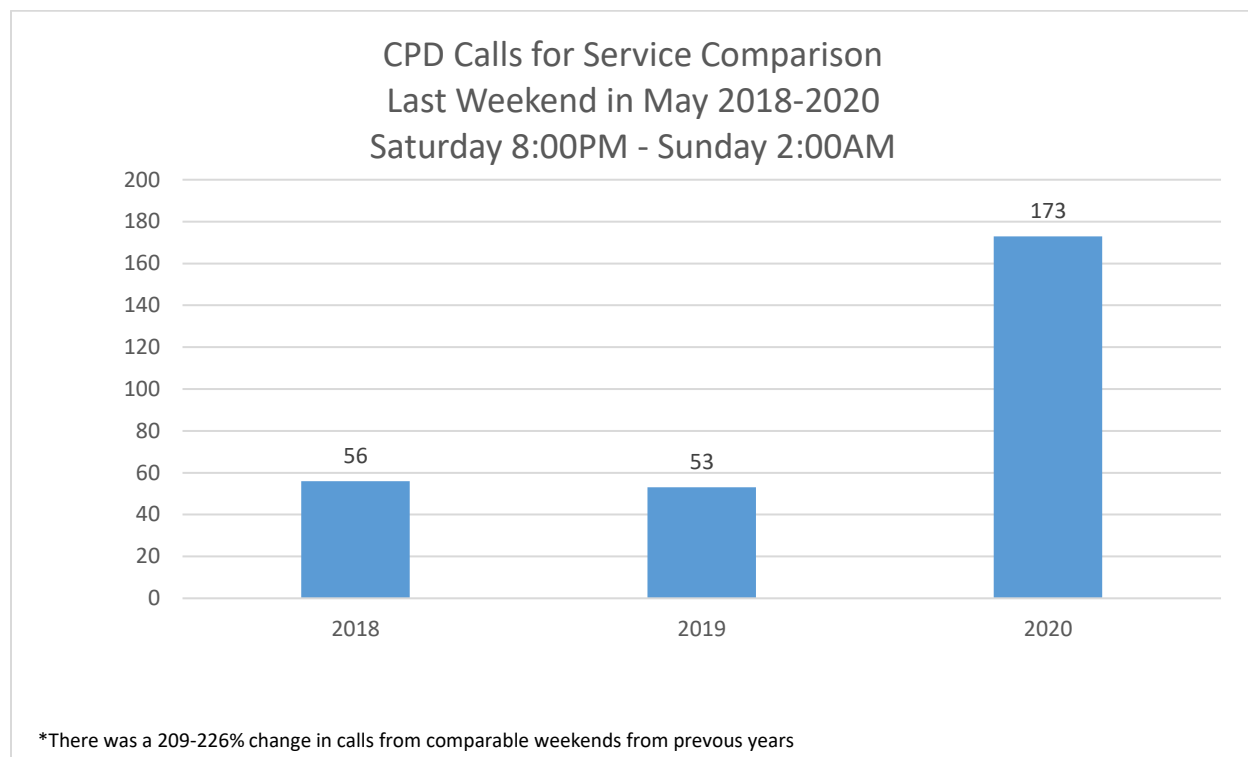
Out of the 238 calls for service on the Peninsula during the protests and riots, the majority of the calls for service came in at the height of the riot, from 8:00 p.m. to 2:00 a.m. Between these times, there were 173 calls for service. By comparison, during the corresponding Saturday nights for the previous two years (which were Memorial Day weekends), there were no more than 56 calls per night. Furthermore, in 2018 and 2019, there was a total of two calls relating to burglaries or

<sup>15</sup> This number does not include self-initiated activities such as Traffic, Bicycle, or Person Stops, Patrol Requests or Walk and Talks.

<sup>16</sup> CCCDC covers the entire Charleston County area and services the Charleston County Sheriff's Office, Mt. Pleasant Police Department, North Charleston Police Department, Charleston Police Department, Fire and EMS, among others.

<sup>17</sup> Data provided by the Charleston County Consolidated Dispatch Center for 911 and non-emergency calls for all jurisdictions between May 30, 2020 6:00 p.m. and May 31, 2020 6:00 a.m. The comparison dates are the same hours for May 23-24, 2020, (958 total calls) and May 16-17, 2020 (882 total calls).

vandalisms. During the riots, the Charleston Police Department was assigned 56 burglary or vandalism calls.



Due to the significant increase in calls, it became necessary to triage, or prioritize the order in which the limited police resources would be utilized. When determining the priorities to address calls, there are certain factors to consider. First, are CPD's standards for prioritizing calls: Code 1 (Highest) – Emergency Response, life threatening situation in progress; Code 2 – Urgent Response, felonies, in progress; Code 3 – General Response.<sup>18</sup> These priorities are woven into almost all police responses to ensure that the sanctity of life is paramount. Patrol supervisors triage calls on a daily basis to ensure police officers are available to respond to Emergency Response calls – life-safety calls.

In critical incidents, it is necessary to prioritize calls within the designated 'codes'. For instance, there may be multiple Code 1 and 2 calls coming in at the same time. For these situations, CPD follows the National Tactical Officers Association Standards for Priorities of Life: 1. Hostage, 2. Innocent Civilians, 3. Law Enforcement, 4. Suspect.<sup>19</sup> These standards are applied to ensure police officers are directed to the most life threatening situations first, and with the appropriate amount of resources.

As the night progressed, and the riots began, the calls for service on the Peninsula shifted away from the regular calls for service and almost all pertained to the riots breaking out. Businesses were calling for extra patrols while others were reporting looting and vandalism. Scared by what

<sup>18</sup> Charleston Police Department. "Radio Discipline - Field Guide." Revised 7/9/17.

<sup>19</sup> National Tactical Officer Association, ntoa.org.



was happening, citizens were calling and asking for help. Others reported shots being fired, while others reported fireworks.

As the calls came into Consolidated Dispatch, PSOC was advised of calls and assigned resources. The Patrol Sergeants did the same. Without hesitation, officers responded to calls of people being held hostage to ensure everyone was safe. Patrol Officers formed into small teams and SWAT Quick Response Vehicles began to handle the life-safety calls that continued to come in. Mobile field forces, comprised of CPD and other neighboring agencies, were in formations to contain the riots. Police officers were also partnered with fire trucks to assist with security as the fire department responded to the numerous fires throughout the evening and into the night.

By 1:00 a.m., King Street had been secured and the locations where most of the calls came from were being patrolled by police officers. Once the area was safe, officers began making contact with victims, citizens, and complainants from the night before. Contact was made by foot patrols into the early morning hours, by going door to door and business to business the following morning, and by calling complainants who called many hours earlier. Consolidated Dispatch and numerous officers worked to ensure every report requested was written and all calls received the appropriate disposition.

It is important to remember that the concentrated and extraordinarily high call volume during the riot strained police and dispatch resources. With the triaged response, some calls were handled without officers being immediately assigned. Other calls were addressed by the presence of numerous officers, and yet others waited in the queue until the higher priority calls were addressed. Triage calls allowed for life-safety calls to be addressed as quickly as possible and as a result, there was no loss of life or life threatening injuries during this entire incident.

## **Damage Assessment**

### ***Personnel Injury & Property Damage Assessment***

The below chart indicates that there were no deaths as a result of the riots and protests. There were also no serious injuries. A total of 7 City employees were injured (3 police, 4 fire) and a total of 3 law enforcement officers from outside agencies were injured.

A total of 20 CPD vehicles were damaged in the riots and protests – 12 vehicles sustained major damage and eight others sustained minor damage for a total cost of repair of \$47,384.25. Additionally, one flashlight was damaged and one body worn camera was lost. The replacement cost for these items is \$509.82. Therefore, the total cost to repair or replace these items is \$47,894.07.

The City of Charleston reported 22 fire incidents over this time period, including 13 incidents involving building fires.<sup>20</sup>

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<sup>20</sup> See, City of Charleston Fire Department NFIRS Fire Incidents map, Appendix 4.

Although not specified here, it should be noted that CPD's partnering agencies sustained significant damages in costs in the areas of personnel, staffing, and equipment, and CPD is grateful for their resources and support.

Personnel Injury & Property Damage Assessment		
Personnel Injury		
Deaths	None	
Serious Injury	None	
Other Injury	3 City of Charleston Police Officers	
	4 City of Charleston Firefighters	
	3 Law Enforcement Officers from Outside Agencies	
Property Damage	Items Damaged Lost	Cost to Repair/Replace
	20 Vehicles Damaged 12 Major Damage* *over \$1,5000.00 to Repair 8 Minor Damage	\$47,384.25
	1 Body Worn Camera – Lost	\$367.00
	1 Flashlight – Damaged	\$142.82
	Total Cost	\$47,894.07
Fires	22 Reported Fires	

## Response to Resistance / Aggression

The Charleston Police Department's Response to Resistance/Aggression policy states:

“In a complex urban society, officers are confronted daily with situations where they must respond to resistance or aggression in order to gain the control necessary to affect arrests and to ensure public safety. Control may be achieved through advice, warnings and persuasion, or by the proper use of physical force. . . [I]t is the policy of the Charleston Police Department to treat all members of the public with respect and in adherence with the rights afforded by the United States Constitution and the Constitution and laws of the State of South Carolina.”<sup>21</sup>

<sup>21</sup> Charleston Police Department. “Response to Resistance/Aggression – General Order 23.” Revised 2/1/17.

The following is a summary of the various responses implemented by the Charleston Police Department during the events of May 30 and May 31.<sup>22</sup>

The first and most basic response was the presence of uniformed officers and marked patrol vehicles. On a regular basis, the presence of uniformed police officers can calm an incident and cause individuals to cease their illegal or troublesome activities. Additional officers, many from surrounding agencies, were utilized to enhance the police presence for this event. Uniformed officers and specialized vehicles with police markings were deployed to resolve situations without any additional force. On some occasions, this presence ceased the activities, but in others it did not.

A part of this presence is communication with the people involved in the event. During this event, communication with the protesters and rioters was extremely difficult due to the lack of any leadership (formal or informal) in the crowd. On the evening of May 30<sup>th</sup>, police attempts to determine the leaders of the crowd and communicate with the crowd were met with verbal assaults and threats. The objective of the group appeared to be creating conflict with police. As the protests continued on May 31<sup>st</sup> and the following week, police commanders were able to establish connections with event leaders to accomplish their objectives in a lawful and safe manner.

When further response is needed to resolve the situation, mobile field forces of uniformed officers in riot protection gear with helmets are deployed. This is a carefully weighed decision from the PSOC based upon the behavior of the crowd. Deploying mobile field forces too early can cause a crowd to gather, whereas deploying it too late might jeopardize lives; at other times there is no effect. Mobile field forces were deployed several times throughout these events and were met with a variety of different reactions from the protestors.

If the significant presence of uniformed police officers, specialized vehicles, and mobile field forces is not restoring order, and if communications with organizers of the group have failed, and the safety of innocent people and bystanders continues to be of concern, then other force options may be utilized. In the course of regular duties, officers may be called upon to utilize physical control of individuals using empty hand techniques, intermediate weapons (chemical agent or baton), or conducted energy weapons.<sup>23</sup> In a civil unrest event, these options must be utilized for an intended effect, while still maintaining safety for those involved, including the suspect. For this event, chemical agent was utilized in four situations to resolve situations with the minimal amount of use of force possible while “minimizing injury to suspects, officers, and others...”<sup>24</sup>

It should be noted that chemical agents utilized by CPD cause temporary profuse watering of the eyes and nose. This creates a sense of discomfort and disorientation, which may cause the person to cease violent acts. Additionally, CPD does not utilize rubber bullets.

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<sup>22</sup> The application of response to resistance/aggression is far more complex than can be explained in this document and is not intended to be a full explanation.

<sup>23</sup> Charleston Police Department. “Less Lethal and Lethal Weapons – General Order 25.” Revised 5/13/20.

<sup>24</sup> See, sub-section 6, Charleston Police Department. “Less Lethal and Lethal Weapons – General Order 25.” Revised 5/13/20.

Prior to each of the deployments, communication was again conducted in the form of dispersal orders and warnings. These messages were relayed via loudspeaker in order to be heard by as many people as possible.

The following is a summary of the four separate situations when the less lethal option of chemical agent was used. These summaries are based on the response to resistance/aggression reports filed by involved officers, in accordance with CPD General Orders.

1. On May 30<sup>th</sup> and into the early morning hours of May 31<sup>st</sup>, the Civil Disturbance Units for CPD and MPPD were deployed as mobile field forces at King and Calhoun Streets to prevent protesters and rioters from travelling south on King Street from Marion Square. During this time, individuals were throwing bricks, water bottles and chunks of asphalt at officers. These officers were equipped with riot helmets and some had riot protection gear. Numerous warnings were given to disperse from the area or be subject to arrest or exposure to less than lethal tactics. These warnings were given via megaphone from behind the CDU line.

Over a period of several hours, beginning at approximately 9:30 p.m., the CDU line made several attempts to push north on King Street before making it through the entire area. During this time, the less lethal officers deployed chemical agents and impact munitions. Officers also deployed impact munitions at individuals attempting to throw rocks, bricks, bottles at police; and at individuals who were kicking chemical agent canisters back at police. The deployment of chemical agent during this portion of the event provided CPD and other support agencies with an effective less lethal tool to address the large and violent crowd who repeatedly assaulted officers.

Two members of the Charleston Fire Department who were exposed to the chemical agent in their response to the fires were treated at a local hospital.

2. On May 31<sup>st</sup>, at approximately 3:30 p.m., mobile field forces were deployed to Marion Square after reports of vandalism by protestors on Hutson Street were broadcasted on police radio. The mobile field forces were directed to clear the park of the unlawful assembly and arrest individuals who refused to comply with the dispersal order. Some of the protestors were throwing water bottles at the police. The Civil Disturbance Unit was authorized to use chemical agents by the PSOC if needed. After numerous announcements to disperse from Marion Square were given via vehicle loudspeaker, arrests were made. Officers deployed impact munitions at an individual who was approaching an arrest team in an aggressive manner, at another individual who was aggressively running towards an arrest team officer who had been knocked to the ground, and at a third individual who was throwing rocks at the line of police officers.

In each of these instances, impact munitions were deployed and stopped the individuals' actions. As an arrest team was moving forward of the line to arrest an agitator, a group of individuals approached the team in an aggressive manner to prevent the arrest. Chemical agents were deployed into the ground to stop the group from progressing.

3. After clearing a portion of the crowd from Marion Square, a large group of individuals assembled in the middle of Meeting Street near Hutson Street. The crowd had already vandalized property and thrown items at officers in Marion Square. Mobile Field Forces were deployed to the area to disperse the crowd north on Meeting Street. Numerous announcements to disperse from the area, face arrest or be subject to chemical agents were made by vehicle loudspeaker. The group was spread across a large area, refused to leave the area, and were circling behind the line of officers.

At approximately 5:00 p.m., chemical agents were deployed into the crowd. The chemical agent canister immediately blew back towards the line of police officers, but the sound had the effect of dispersing the crowd. An officer deployed impact munitions at an individual trying to pick up the canister. After a short period of time, the Mobile Field Forces proceeded north on Meeting Street to John Street.

At about 5:15 p.m., approximately 100 protesters remained in the area of Meeting and John Streets and continued to obstruct traffic. At approximately 5:34 p.m., one of the less lethal officers deployed chemical munitions to disperse the crowd. While the agent was emitting, at least one individual approached the canister, at which time an officer deployed impact munitions in his/her direction to deter him/her from picking it up. Mobile Field Forces continued to hold the lines keeping the crowd off of King Street and north of John Street on Meeting Street. The crowd ultimately dispersed at approximately 6:10 p.m.

4. Officers responded to the area of America and Johnson Streets in reference to a call for service involving three debris fires in the street. While assisting with this call, which was after the lawful curfew put in place, several individuals began aggressively approaching officers. An officer deployed impact munitions at the ground and then to the abdominal area of one of the individuals, causing the individuals to flee from the area.

CPD recognizes and respects the sanctity of human life at all times. The various responses to the different situations resolved them in a manner consistent with the Response to Resistance and Aggression Decision Model and resulted in no one being injured.<sup>25</sup>

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<sup>25</sup> Charleston Police Department. "Less Lethal and Lethal Weapons – General Order 25." Revised 5/13/20.

## What has happened since?

In the week following the riot and protest, all of the days off for CPD officers were cancelled and officers remained on twelve hour shifts to ensure there was enough staffing to manage more civil unrest. Numerous events were held downtown and some groups marched around the Peninsula in a boisterous, but peaceful manner. On June 8<sup>th</sup>, the Department returned to normal shifts, with officers from across the Department designated to monitor for additional protests. With the permit process remaining closed due to COVID-19, groups were not required to provide CPD with any notification of events. There were several events in June requiring officers to return to twelve hour shifts in preparation for more civil unrest, but most of those events remained peaceful.

On July 9, 2020, the issuance of parade permits was reinstated. By allowing these parade permits to be submitted and approved, CPD re-established a dialogue with event organizers, which assured public safety during the events. This is especially important given the climate across the country, wherein people are expressing their First Amendment rights amid rising tensions. Within the last two months, CPD has processed nearly 60 parade permits, some of which include a weekly protest and counter-protest at the Battery. While very few of these events require implementation of twelve hour shifts and cancelling of days off, it has been a significant resource commitment to ensure the safety of individuals at these events.

It is important to mention that all of these officers worked to protect the City of Charleston while also trying to protect each other from COVID-19. Although officers were in close proximity to one another and numerous protestors, the precautions in place limited the spread of the virus through the Department. There were limited effects of COVID-19 for the Police Department in connection to these days of protests.

## After Action Review

According to retired Chief and Past President of the National Police Foundation James Bueermann, “After action reviews are aimed at improving American policing’s response to similar critical incidents through changes in policy, practice, organizational culture, and an increased understanding of the nature of preventable error.”<sup>26</sup> Through the after action review process for this event, the Charleston Police Department has gathered information and documentation, held formal and informal discussions, and administered surveys. This process has involved great engagement and work over a period of months. The Charleston Police Department has identified several areas in which it performed well and demonstrated promising practices as well as areas in which practices could be improved. This process is strengthening the Charleston Police Department while embracing the core values and foundational goals of excellence, integrity and transparency.<sup>27</sup> *It is also important to note that this review is undertaken with the benefit of hindsight; while there are certainly many lessons to be learned, the civil unrest of May 30-31 can best be described as chaotic and from a law enforcement perspective, as unprecedented.* CPD was working under difficult circumstances and ensured that there was no loss of life or serious injury; moreover, the Charleston Police Department has made changes to practice and policy in light of the lessons learned during the civil unrest.

## Command & Control

The City of Charleston and the Charleston Police Department utilizes the Incident Command System (ICS)<sup>28</sup> to manage incidents, from parades to hurricanes. ICS is utilized across the country for both large and small events because it is flexible and provides an organized framework for managing operational goals, providing logistical and planning support, efficiently directing resources, and ensuring a safe operating environment. One of the key components of ICS is a clearly defined Incident Commander who is responsible for incident safety, setting priorities and objectives, and establishing the ICS organization needed for the incident.<sup>29</sup> For a civil disturbance, the incident commander is responsible for, “decisions about crowd dispersal, general strategies about crowd containment or crowd redirection, multiple simultaneous arrests, planned individual arrests or planned use of force...”<sup>30</sup>

## Positive Practices

The practice of preparing a plan ahead of an event is critical to the success of the incident. As this event began, on May 30th, an incident action plan had been developed and was in place. The plan identified the Incident Commander, Public Safety Operations Center (PSOC) staff, and Field Commanders and Officers. **The plan was appropriately developed and CPD had more than**

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<sup>26</sup> National Police Foundation. “How to Conduct an After Action Review,” p. 1. Washington, DC: Office of Community Oriented Policing Services, 2020.

<sup>27</sup> Charleston Police Department. “2020-2025 Strategic Plan.”

<sup>28</sup> Charleston Police Department. “Relations between Superior, Subordinate Officers & Others – General Order 16 (section 16.3 Command Protocol in Special Situations).” Revised 11/5/15.

<sup>29</sup> “ICS Organization Structure and Elements.” (Extracted from – E/L/G 300 Intermediate Incident Command System for Expanding Incidents, ICS 300. March 2018.

<sup>30</sup> Charleston Police Department. “Civil Disturbance Operations - Field Guide.” Revised 4/6/18.



**sufficient resources available, based on the intelligence that was present.** CPD had been in contact with neighboring jurisdictions regarding CDU deployment prior to the event. Additionally, several Command staff voluntarily came into work that day and were present in the PSOC. This provided additional support in the PSOC throughout the day. As the day's events unfolded, the resources outlined in the plan became overwhelmed; however, command staff came together to adjust the plans as needed.

### *Areas for Improvement and Lessons Learned*

The Incident Commander was the lead command for the May 30 protests according to the Incident Action Plan. While the original plan was comprehensive, the unprecedented scale and nature of the civil unrest meant that CPD risked being overwhelmed and there was no contingency plan in place for such extreme circumstances. Once all of the resources assigned to the event were being utilized, all of the commanders in the PSOC took on a variety of unassigned tasks to ensure the function of the department. These tasks included looking for additional resources, planning for relief of the current officers, keeping up with the current status of the event, and providing direction to the field commanders. Even with the lack of an organized structure in place to complete a variety of newly defined tasks, Command staff immediately stepped in to fill those roles.

Due to the constantly changing circumstances and tasks that were not clearly defined because of the evolving circumstances, PSOC commanders duplicated some tasks that could have been completed by a single individual. By dayshift on May 31<sup>st</sup>, a more defined Incident Command was put into place. **CPD Commanders should therefore organize responses to significant events consistent with ICS, and the Planning Section must be activated to ensure objectives are established, resources are properly allocated, and a plan for the following operational period is developed.** The Planning Section will use the ICS framework to prepare for upcoming events. Additional commanders and supervisors have been trained and assigned to the planning section to allow for all command and control contingencies, including large scale civil disorder.

### *Internal Communications*

For the purposes of this document, this portion reviews the internal (law enforcement) and external (other city departments, press, and social media) communications. In addition to maintaining situational awareness, internal communication during critical events is necessary to ensure officers, professional staff, and assisting agencies focus on the proper objectives. Internal communications include the use of police radio, documentation of objectives (such as ICS forms 201 & 202), coordination with assisting law enforcement agencies, and in person briefings.

### *Positive Practices*

The use of the police radio was the primary method of communication between the PSOC and the officers in the field. **From the beginning of the event, a designated channel (Incident 3) was utilized.** Officers initially assigned to the event were able to communicate and all responding agencies had the capability to communicate on the channel. With all responding agencies on one channel, it was known that the transmissions were about the civil disturbance. When multiple agencies from across a region come together, the use of specific codes can become an issue with

clear communication. **For this event, almost everyone used plain-talk, which reduced confusion in a chaotic situation.**

### *Areas for Improvement and Lessons Learned*

Aside from the first briefing on May 30<sup>th</sup>, there was no other formal in-person briefing of officers assigned to the event until night shift on May 31<sup>st</sup>. Because of the circumstances, officers were immediately sent where there was greatest need as and when they became available. Although briefings (or roll calls) are common in police work, the reactive nature of the event required resources to arrive and be deployed immediately. As these needed and requested resources arrived, there was not an identified staging location for them to report to or a staging manager to provide a briefing. **In order to facilitate in-person briefings, a staging location should be identified and staffed with a staging manager, who can brief all personnel responding to the event prior to being sent to the field.** Since this event, CPD has utilized a staging manager with a designated location for all additional resources to report and receive an initial briefing.

Internally, the communications to the department from the PSOC during this event were very difficult due to the ongoing riot. **The importance of communication within the department during a chaotic and dangerous event like this requires someone to be specifically and exclusively assigned with creating these messages and creating a method for two-way communication between the PSOC and the department employees.** Since this event, regular updates to the department have been sent from the PSOC. Additionally, a supervisor call-out group has been created to provide a consistent and easily disseminated message to first line supervisors.

During the height of the riot on May 30<sup>th</sup>, the patrol radio channel (CPD 1) for the Peninsula transitioned from carrying normal calls across Teams 1, 2 and 9 to in progress calls pertaining to the riot. In effect, the patrol teams were being dispatched to the riot on CPD 1, but the riot was being managed by the PSOC on Incident 3. Due to the large volume of calls and radio traffic on both channels, communication between the two groups was limited between officers in the field. Even though officers were being dispatched on different channels, calls for service were being handled in a priority response. **The purpose of using multiple radio channels is to increase communication and when that purpose is no longer being served, it is better to bring all resources to one channel.** CPD has worked with CCCDC to utilize an incident channel that can be merged with CPD's main channels.

### *External Communications*

Keeping the public and other City departments aware of and updated with an event is critical to ensuring them that the situation is under control. When information is not coming from a City department, especially the police department, misinformation can run rampant. Coordinating with business owners, residents, tourists, public officials, and other departments can be accomplished through press releases, social media posts or videos, and a variety of other tools.

### *Positive Practices*

The Charleston Police Department did utilize Reverse 911 during the evening of May 30<sup>th</sup> to alert individuals on the Peninsula of the riots and to shelter in place. This is an effective way to get a

message out to a large group of people. The PSOC also notified the Charleston Area Regional Transportation Authority (CARTA) of the riots and they were able to adjust their routes. In addition to this, messages were also put out via the department's Twitter and Facebook accounts. **These communications undoubtedly kept people out of harm's way.**

### *Areas for Improvement and Lessons Learned*

Although CPD utilized social media, initiated a reverse-911 call to warn citizens to shelter in place, and contacted public transportation to cease activity on King Street, additional tools could be utilized and partnerships forged for better communication in the future. During the riots, much of the communication to the public came from social media and media outlets broadcasting from the riots. On May 31<sup>st</sup>, social media posts and tweets were sent out to the public from CPD that warned the public to stay out of certain areas due to protest activity and inform the public of the curfew. **A media team should focus on partnering with local media outlets to provide the public with instructions on how to stay safe, as well as with regular updates of the situation, and with ways they can help resolve the situation.** CPD has established a Public Information Team to facilitate engagement with the media outlets and provide updates via social media. Since this event, the Community Outreach Division has worked with the Business & Neighborhood Services Division to create an email list for communicating upcoming events and for notifications to be made of possible civil unrest. CPD has received positive feedback regarding the early notification and timely updates of recent events.

The City of Charleston has an Emergency Management Division that can assist with organizing City resources. The use of the Emergency Management Division through the use of a Municipal Emergency Operation Center (MEOC) would have reduced some of the administrative burden that was being placed on the PSOC. **The use of Emergency Management would have also allowed for improved communication between the police department, other department heads, and political leaders.** Due to COVID-19, the City of Charleston has utilized a virtual MEOC, which will provide other departments to monitor events and activate resources quickly.

### *Keeping Track of Resources and Personnel*

Keeping track of resources is difficult in any large event, but especially in an unplanned response. For this event, officers were reporting at various times to different commanders for different assignments. No matter how difficult, maintaining a record of personnel is required to ensure their safety and effective use of resources. This section will review how CPD maintained accountability of the various resources throughout the incident.

### *Positive Practices*

The cooperative relationships CPD has with neighboring agencies was obvious from the beginning. Charleston County Sheriff's Office, Mount Pleasant Police Department, North Charleston Police Department, Goose Creek Police Department, Summerville Police Department, Berkley County Sheriff's Office, Myrtle Beach Police Department, Sullivan's Island Police Department, SC State Law Enforcement Division, SC Department of Natural Resources, SC Department of Probation, Parole, and Pardon Services, SC Highway Patrol, SC National Guard, US Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Federal Bureau of Investigation

provided law enforcement officers, equipment, and/or vehicles to assist with the response. **The City of Charleston and CPD have invested heavily in partnerships throughout the area and being able to call on all of these agencies allowed for CPD to gather enough resources to address the protests and riot.**

Although not the most efficient method, PSOC did begin tracking field officers via whiteboard. **Tracking the officers in the field in this manner allowed for quick reference to what resources were available, how teams were organized, and how equipment was deployed.** If the occasion had required, a roll call of personnel assigned could have been conducted to ensure everyone was in place. Once established, the whiteboard accountability remained in place.

### *Areas for Improvement and Lessons Learned*

Looking back on the number of outside agencies that assisted and the number of personnel each provided, it is clear that there should be a single point of contact within CPD for all agencies to coordinate. In the midst of the riot, several different Command staff were on the phone with differing agencies who were offering assistance. As there was some overlap, a single point of contact would be beneficial. **By having a single point of contact, the most needed resources can be requested and arrive with appropriate equipment.**

The lack of a staging location for CPD officers and personnel from outside agencies made it difficult to track who was actually in the field and their assignments. As mentioned previously, a staging location would have allowed for better communication and understanding of the objectives. **A properly staffed staging location will also provide a check-in and check-out location to ensure every officer in the field is tracked.**

Due to the chaotic nature of how the event started, there was very little documentation of which officers were working the event. Other than the initial incident action plan, there was no formal documentation with the names of all officers involved in the response. With officers self-deploying to the field, assisting through their assigned patrol teams, or being called in as part of a specialized unit, there are a variety of reasons an officer could have been in the field. **However, with the constantly changing nature of a civil disturbance, it is necessary to have someone designated to keep an updated list of deployed and reserve officers and document this information.**

To address these three items, CPD has since utilized a staging manager with a pre-designated staging location to ensure accountability of all resources assigned to the event.

### **Response to Civil Disturbances**

“The Charleston Police Department is charged with keeping the peace and protecting the lives and property of the citizens of Charleston. This responsibility extends also to visitors to Charleston and persons passing through the geographical boundaries of the City. The Department will, at all times during periods of Civil Disorder, attempt to establish a nonpartisan attitude towards participants,

always keeping in mind that the primary duty of the Department is the preservation of lives and property.”<sup>31</sup>

### *Tiered Response Plan*

In order to adequately achieve the objective set forth, CPD utilizes a tiered response. The tiered response allows for the police to adjust its presence based on the size of the crowd and appropriately respond to the crowd’s actions without increasing the tension of the moment by appearing too aggressive.

A typical Tier 1 (Small Demonstration/Protest) event can be managed by a few officers in the regular police patrol uniform. These types of events are usually permitted, lawful, and peaceful. If an event becomes larger additional officers will be called in for the Tier 2 (Expanded Demonstration/Protest) response. The additional officers may be utilized to assist with managing the crowd, addressing counter-protesters, or assisting with traffic control. Since Tier 1 and Tier 2 are based on the number of participants, events can go back and forth between the tiers and the police response adjusts as well. The Tier 3 (Demonstration/Protest with Disorderly or Destructive Behavior) response utilizes the Civil Disturbance Unit as a mobile field force equipped with full riot gear, helmet, gas mask, baton, and shields or less lethal options (if needed).

### *Positive Practices*

The Civil Disturbance Unit (CDU) trained the entire department on civil disturbance tactics during an eight hour block of instruction in 2019. During this training, CDU instructors presented legal issues and crowd management strategies. They also conducted drills and scenario based exercises. During this training officers were also exposed to a chemical agent, which may be used in civil disturbance situations. **By having regular training on the department’s response to civil disturbances, officers were prepared to assist as members of the mobile field force.** Additionally, the members of CDU train quarterly.

As mentioned previously, there are great partnerships between CPD and neighboring agencies. **The civil disturbance teams from other agencies that responded to this incident had previously and regularly trained together so there were no inconsistencies between the teams.** During the protests and riot, the Mount Pleasant Police Department, North Charleston Police Department, and Charleston County Sheriff’s Office provided mobile field forces to assist CPD.

Although not specifically mentioned in the tiered response, it became necessary to provide security support to the Charleston Fire Department so they could adequately tend to fires, especially those in the form of arson. During the beginning of the riot, a single officer was assigned, but it was quickly observed that small teams of officers would be required to provide the appropriate amount of protection. **By assigning small teams to fire stations or trucks, the proper amount of security was applied.**

### *Areas for Improvement and Lessons Learned*

With the limited information available, the original incident action plan was created for a Tier 1 response. In addition, a small contingent of the Civil Disturbance Unit (CDU) members were

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<sup>31</sup> Charleston Police Department. “Civil Disturbance Operations - Field Guide,” Revised 4/6/18.



available. However, as these events unfolded, the available resources were overwhelmed. **CPD should review and improve its process for immediate recall of additional department resources to respond to a critical event, to the extent possible.**

Prior to COVID-19, police were able to strictly enforce laws regulating the wearing of masks. It is a familiar tactic for criminals wishing to commit crimes at protests to cover their faces to reduce the likelihood of arrest and prosecution. Although not required by the City of Charleston until July 2, 2020, numerous individuals were wearing face coverings to limit the spread of COVID-19, and the vast majority of these were peaceful individuals with no ill-intent; however, some individuals chose to wear full face masks to hide their identity, and some even wore gas masks. Since the vast majority of people at these events were wearing masks, it was difficult for law enforcement to identify agitators in the crowd.

### **The Arrest Process**

In order to put this process into place, there must be coordination between the Incident Commander and the Civil Disturbance Unit Commander to ensure the assembly (or gathering) has been declared unlawful, appropriate dispersal orders have been given, probable cause exists for an individual to be arrested, and that the effect of the arrest(s) will be to end or reduce the civil disturbance that is occurring. Among the factors considered when executing an arrest are whether the individual(s) is a key agitator, or whether the individual(s) is creating the most disturbance, and/or is encouraging others to do so. Once an arrest is made, the person must be treated fairly and in accordance with their Constitutional rights, no matter the reason for the arrest.

### **Positive Practices**

The Charleston Police Department was able to arrest numerous individuals during this incident and transported them to the Al Cannon Detention Center in a timely manner without further issues. **Although the situation was chaotic, officers took the time to ensure everyone arrested was treated fairly.**

### **Areas for Improvement and Lessons Learned**

The magnitude and unprecedented nature of the event meant it took a long time to coordinate and to digitally process prisoners. In addition, COVID-19 mandates requiring the preparation of an affidavit for every charge increased the amount of paperwork required for each prisoner. As the arrests began in the field, a team of officers was quickly assembled to handle the large amount of paperwork. **A group of officers should be prepared and assigned this task in order to ensure a more efficient process.** Accordingly, CPD has put in place an arrest processing team of Central Detectives.

### **Use of Chemical Agents**

The use of chemical agent, which causes temporary profuse watering of the eyes and nose, and creates a sense of discomfort and disorientation, may cause a person to cease violent acts.<sup>32</sup> Because of the discomfort, the use of chemical agent is usually reserved for stopping physical assaults on individuals, including police officers. In an open air environment like a riot, there is a possibility of innocent people not involved in criminal behavior to get exposed when chemical

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<sup>32</sup> Charleston Police Department. "Civil Disturbance Operations - Field Guide," Revised 4/6/18.



agent is dispersed. For this reason, when possible, warnings are given to the crowd to disperse prior to the chemical agent being released. Field commanders must ensure there is a way for people to leave the area before deploying a chemical agent.

### *Positive Practices*

Once authorization was given to utilize chemical agent, the steps for deployment were followed correctly. Prior notice was given to officers in time for them to don gas masks. There were dispersal orders given and once the chemical agent was deployed, it was effective in dispersing the crowd from the immediate area. **The process utilized by CPD for deploying chemical agent proved to be efficient and effective for accomplishing the intended objective.**

Because the chemical agent loses its effectiveness after a period of time on the shelf, it is not an item that can be bought in surplus and used for years to come. There is a balance between having enough for an incident and not having so much that it goes bad before using it. **CPD had an adequate supply of chemical agent to respond to this incident.**

### *Areas for Improvement and Lessons Learned*

Accounting for chemical agent deployed is an important aspect for the less lethal teams. Each team conducted an inventory before and after each shift to account for the munitions used. During this event, the less lethal deployments were tracked, but more specific detail on each deployment would be beneficial. **Less lethal operators should develop a more efficient and reliable way to track the use of chemical agent.** Improved tracking will lead to analysis of what types of munition are the most effective.

### *Summary*

Although there are many areas for CPD to spend some time and resources to improve upon, ultimately their response to this incident prevented deaths and resulted in no life-threatening injuries to innocent civilians, police officers, and suspects. On the night of May 30<sup>th</sup>, officers of CPD exercised great caution and restraint to remain focused on the importance of life safety issues until enough resources were organized to respond. Had even one officer lost focus, the outcome could have been catastrophic for individuals involved and the City of Charleston. By focusing on the positive practices outlined in this document and implementing solutions from the lessons that have been learned, CPD can and will ensure that their response to future events will be even more effective.

### *Moving forward from May 2020*

After the events of May 30<sup>th</sup> and 31<sup>st</sup>, the Charleston Police Department immediately began discussion on improving organization and communication of the response to civil unrest. The following are some areas where CPD has already made adjustments and areas where CPD intend to make improvements as a result of the after action review discussions.

### *Action Taken to Date*

1. With multiple field commanders possessing varying responsibilities, CPD has and will continue to place a lead field commander (ideally at the rank of Captain) to coordinate the numerous resources in the field. The lead field commander will

serve as a single point of contact for the Public Safety Operations Center to provide instruction and receive recommendations from the field.

2. The use of a software program has been implemented for use with all pre-planned events. Commanders and supervisors have been trained on the functionality and organization of the program and it has already been used for several events. By using a consistent program, CPD should be able to better adjust to rapidly expanding events in a manner to ensure improved communication, maintain organizational structure, and account for the personnel and equipment assigned to the event. This program also provides additional functions that contribute to operational awareness and these capabilities have been reviewed and utilized.
3. With the assistance from Consolidated Dispatch, CPD has created a supervisor group for sending text messages to all department supervisors. The notification group will allow for the rapid dissemination of information about critical events, adjustments to shifts, and the request of additional resources. By utilizing the notification group, all supervisors receive the same message, thereby improving communication.
4. In order to inform department employees of the status of ongoing events, CPD started sending regular updates via email and providing as much notice as possible to upcoming events. These emails are sent from the PSOC and ensure situational awareness throughout the department. Commanders have received positive feedback from employees regarding the increased communication during recent PSOC activations.
5. Realizing the need for a more efficient approach to documenting multiple arrests, the Central Detectives Division has created new forms and a new process.
6. Because there may be multiple arresting officers from several law enforcement agencies in these situations, CPD now assigns a case agent to serve as the primary point of contact and manager of the case.
7. The Community Outreach Division has worked with the Business & Neighborhood Services Division to create an email list for communicating upcoming events and for notifications to be made of possible civil unrest. CPD has received positive feedback regarding the early notification and timely updates of recent events.
8. CPD has created a Public Information Team to have more employees trained and available to disseminate information to the public and work with local media outlets.

9. CPD has purchased additional protective equipment to allow for more officers to be equipped to safely respond to a riot.

#### *Action in Progress*

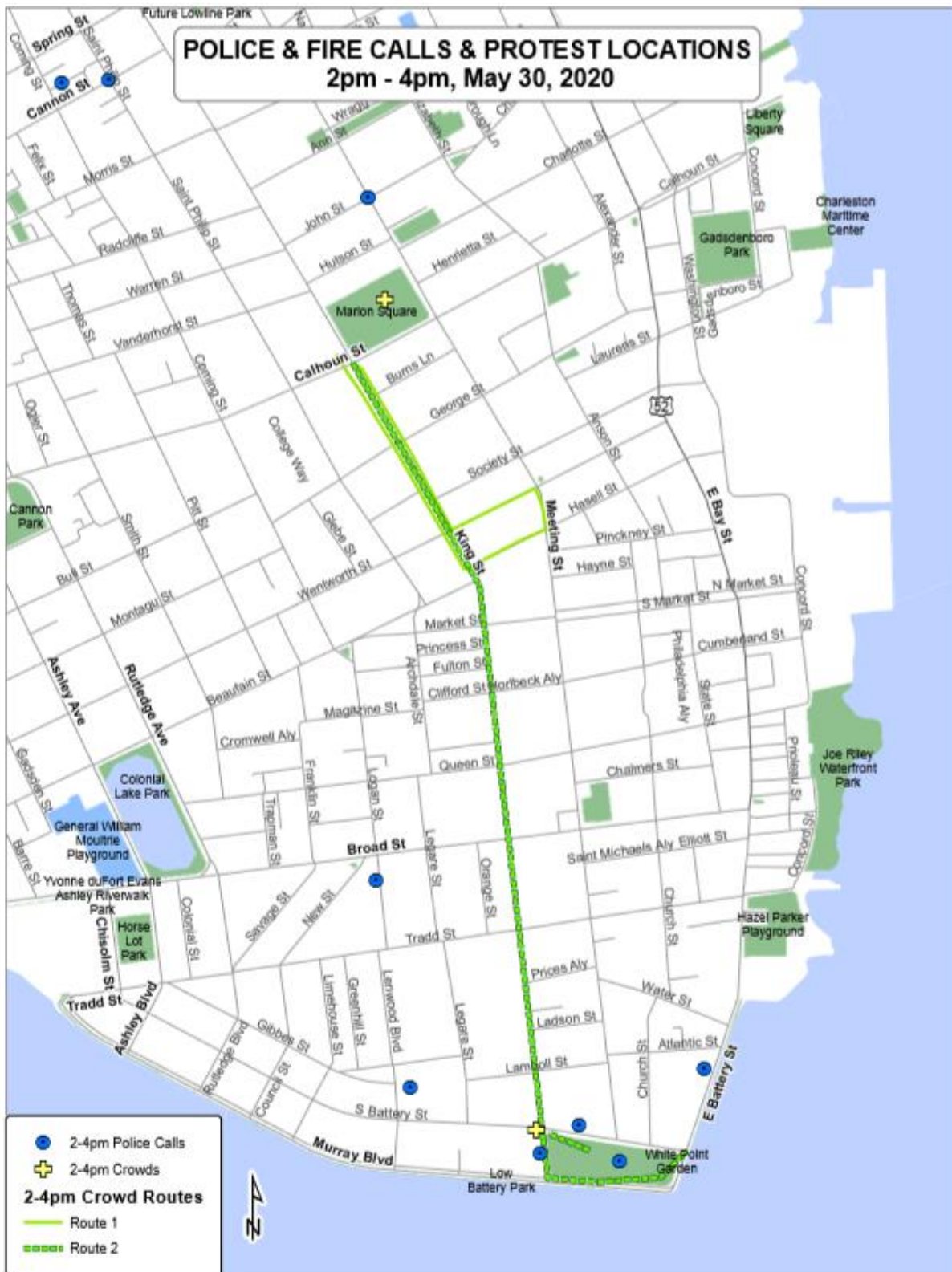
1. A complete review of CPD's policies and field guide regarding response to civil disturbances is underway. For example, an immediate item being addressed is the organization of the civil disturbance unit into small teams that supplement larger mobile field forces, allowing for the use of more department personnel in an organized manner. CPD will also continue to monitor evidence-based research to ensure the most recent applicable practices are being considered.
2. While all commanders are required to complete Incident Command System training, CPD is conducting scenario based training which incorporates current and local trends in 2020.
3. CPD has created a system to provide immediate notification to all first line supervisors. CPD is reviewing best practices around the country that will increase consistent communication with all employees during critical incidents.
4. CPD is researching new technology, improved equipment, and the use of vehicles based on lessons learned from jurisdictions that have a documented history of civil unrest. As needs are identified, CPD is exploring grant and funding opportunities to purchase this equipment.
5. To address the highly mobile protest groups and extended marching, CPD is committed to the use of other resources for crowd control. For example, bicycles are utilized by several departments across the country and found to be effective at managing small and large crowds.
6. CPD continues to provide peer support and offer other available resources for officers and professional staff to ensure the mental wellness of all employees. The Wellness Committee continues to meet weekly to review current practices and make necessary changes. A critical incident affects not only an officer or professional staff member, but has impacts on family and friends. CPD has opened up lines of communication for families through an established email contact group and department/family online conference calls, facilitated by the Chief of Police. Additionally, during events, CPD cares for officers by keeping them hydrated, fed, and provided with adequate rest. CPD works to ensure that officers/professional staff are provided days off when needed or requested. The community provides—and has provided—many forms of much-appreciated positive reinforcement, whether donated food, water, or thank you notes. Indeed, positive notes are saved and line the walls of CPD headquarters and team offices and many of these notes are shared with the entire department via email.

## Conclusion

This was undoubtedly a complex, dangerous, and highly challenging series of events. Indeed, the challenges continue, as CPD is intent on prosecuting the high-level offenders who held the city to ransom with their gratuitous violence and wanton destruction. We continue to investigate these events on a daily basis, and we will pursue prosecution to the fullest extent of the law, both in state and federal courts.

With regard to CPD, and as is evidenced in this report, many productive changes have been made or are underway. The Charleston Police Department is much more effective today because of this, and will continue to reflect on its practices and seek out areas for improvement. Of paramount importance to our organization is building relationships and public trust, and treating individuals with the dignity and respect they deserve, and to which they are entitled. At a time when the police find themselves at the center of national, regional, and local discourse, we are firm in our resolve to serve the community and to engage in model police practices. Our goal is to make Charleston stronger with the help of the people we serve.

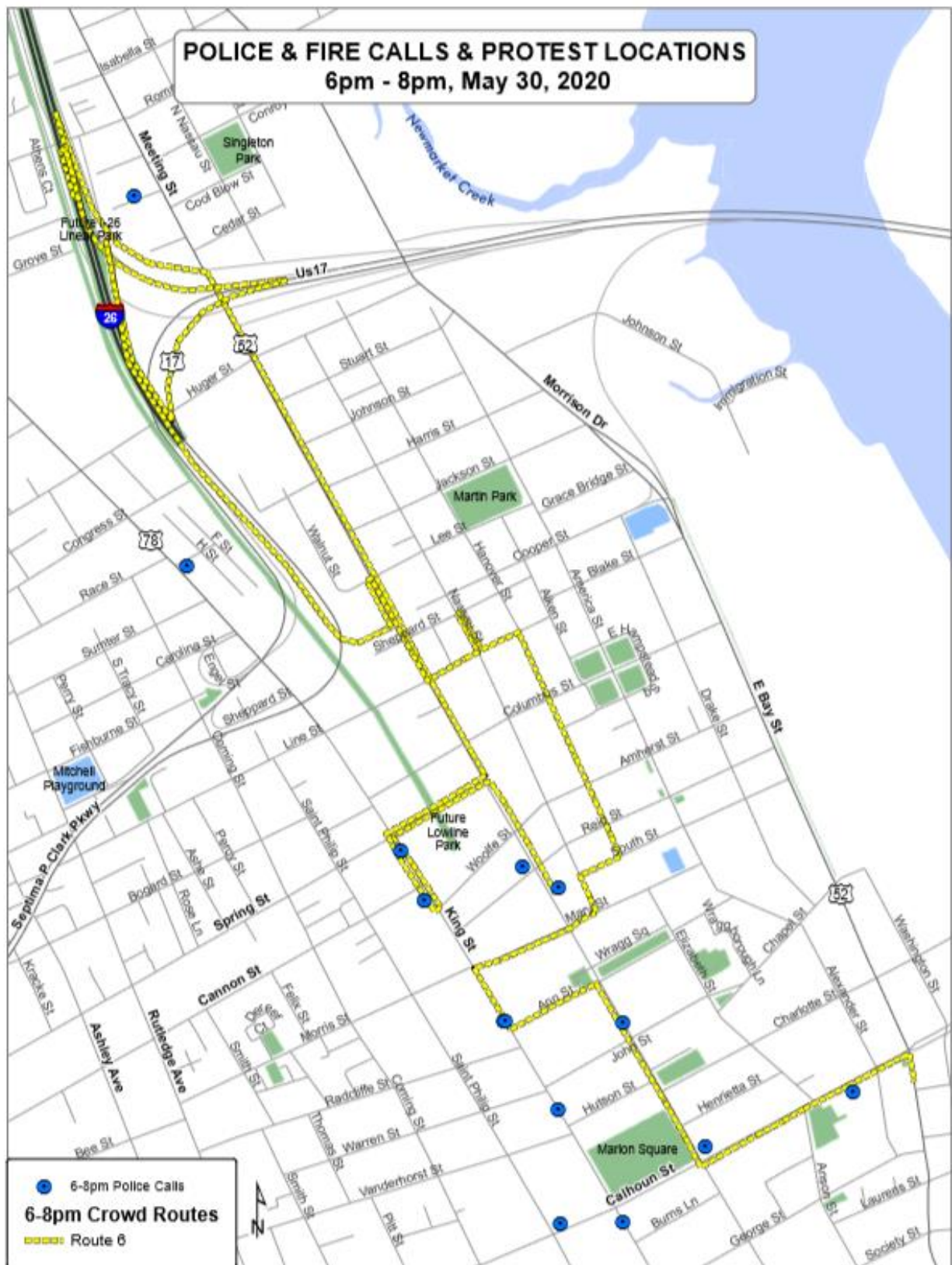
## Appendix 1: Maps

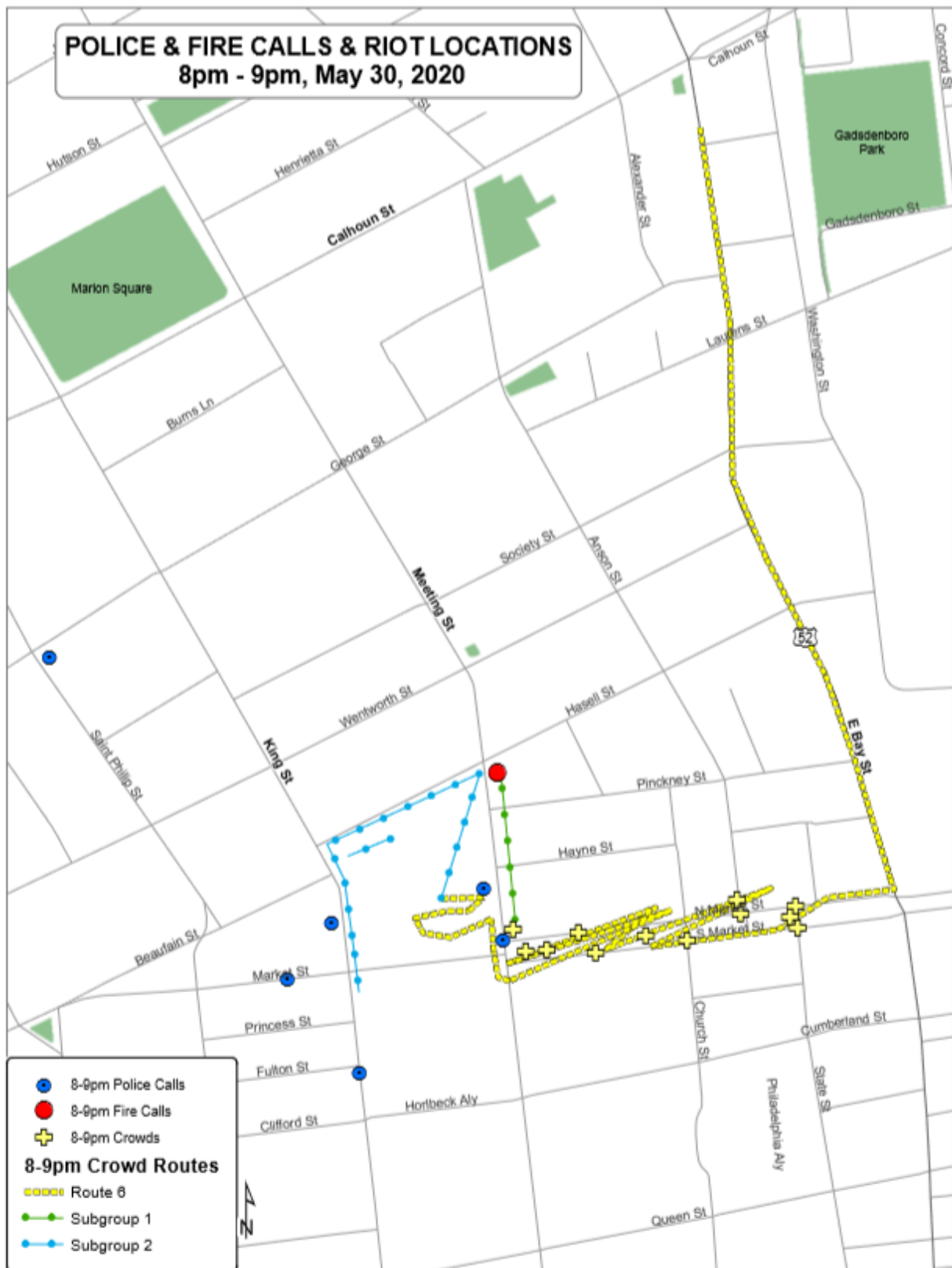




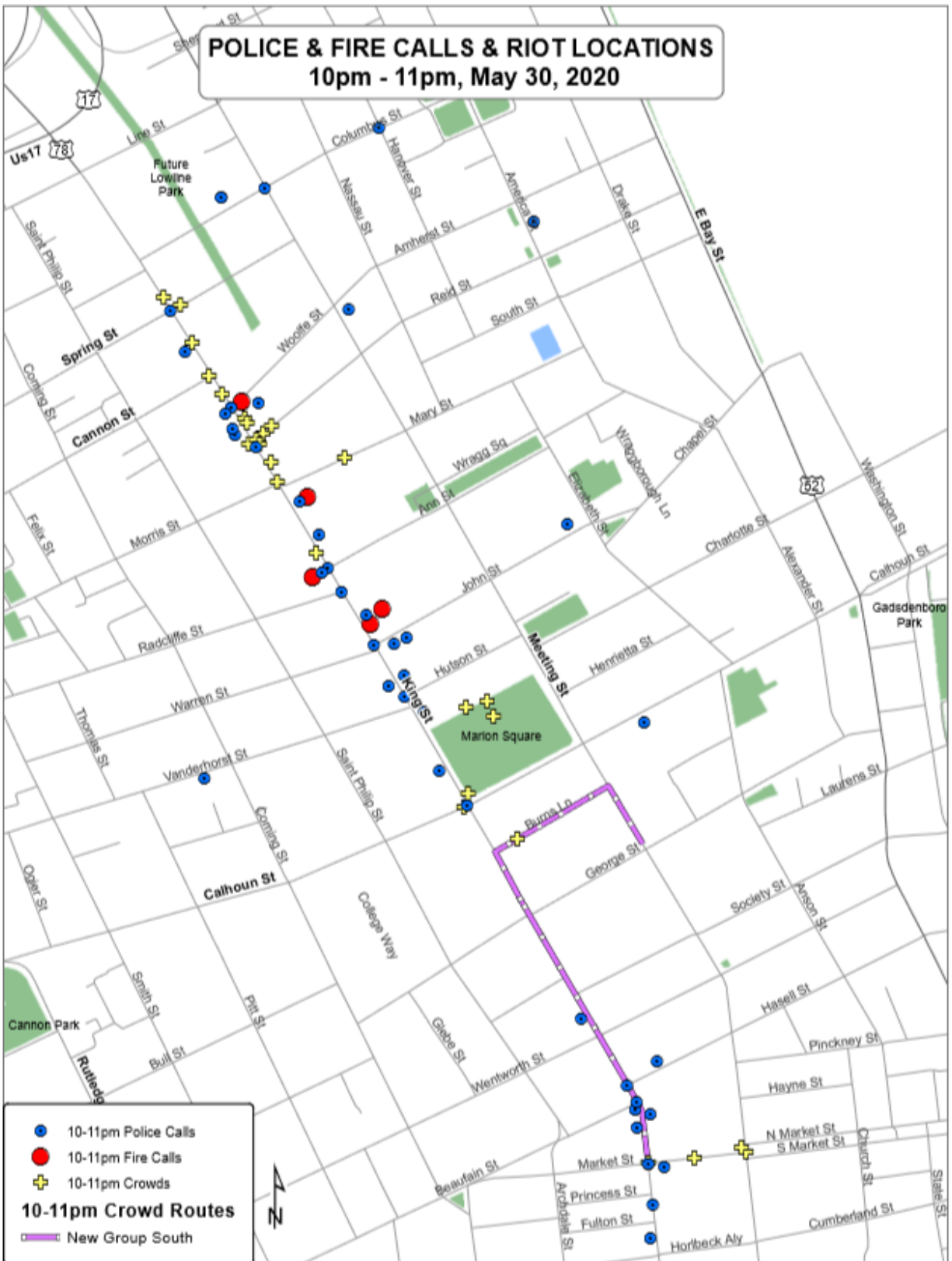






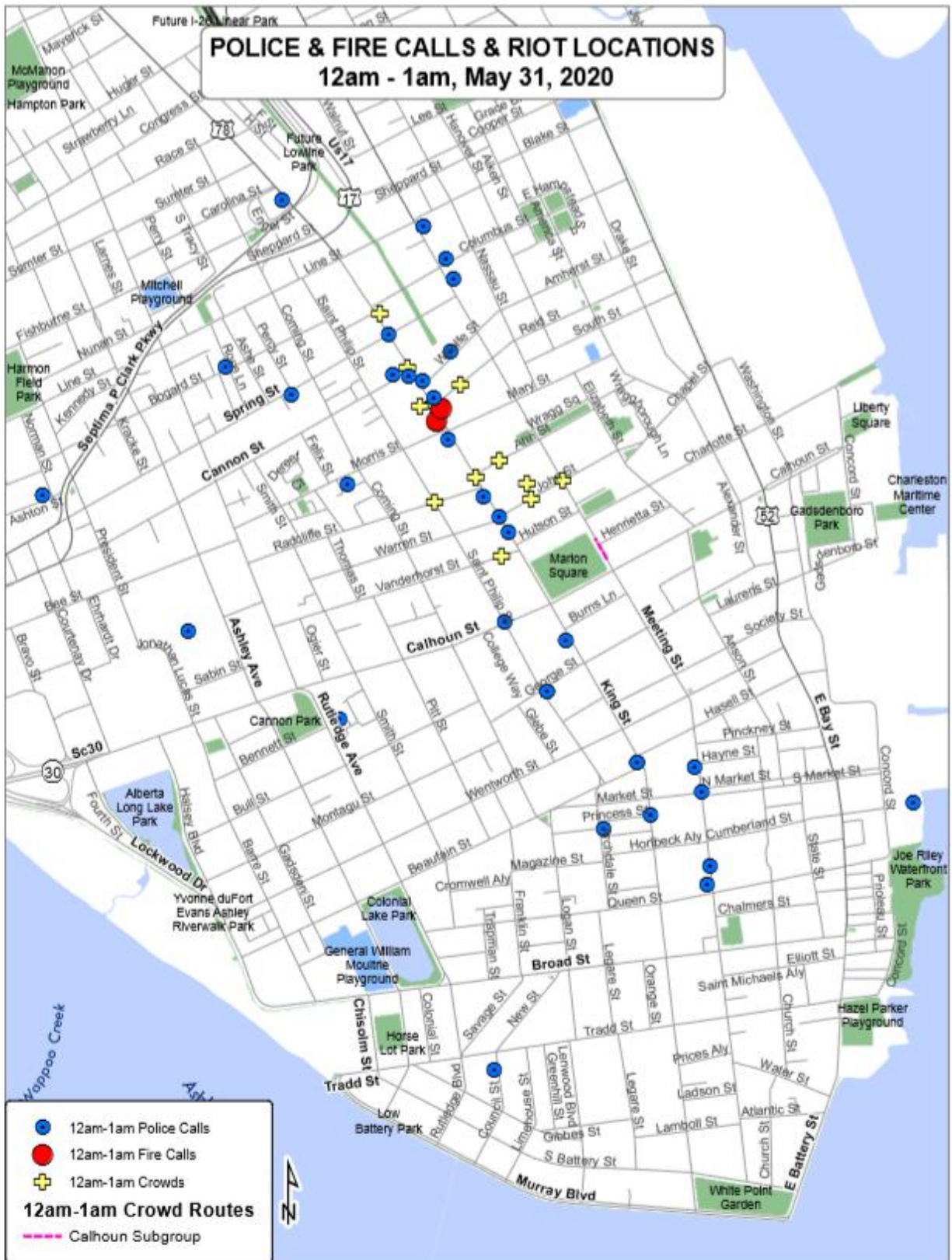




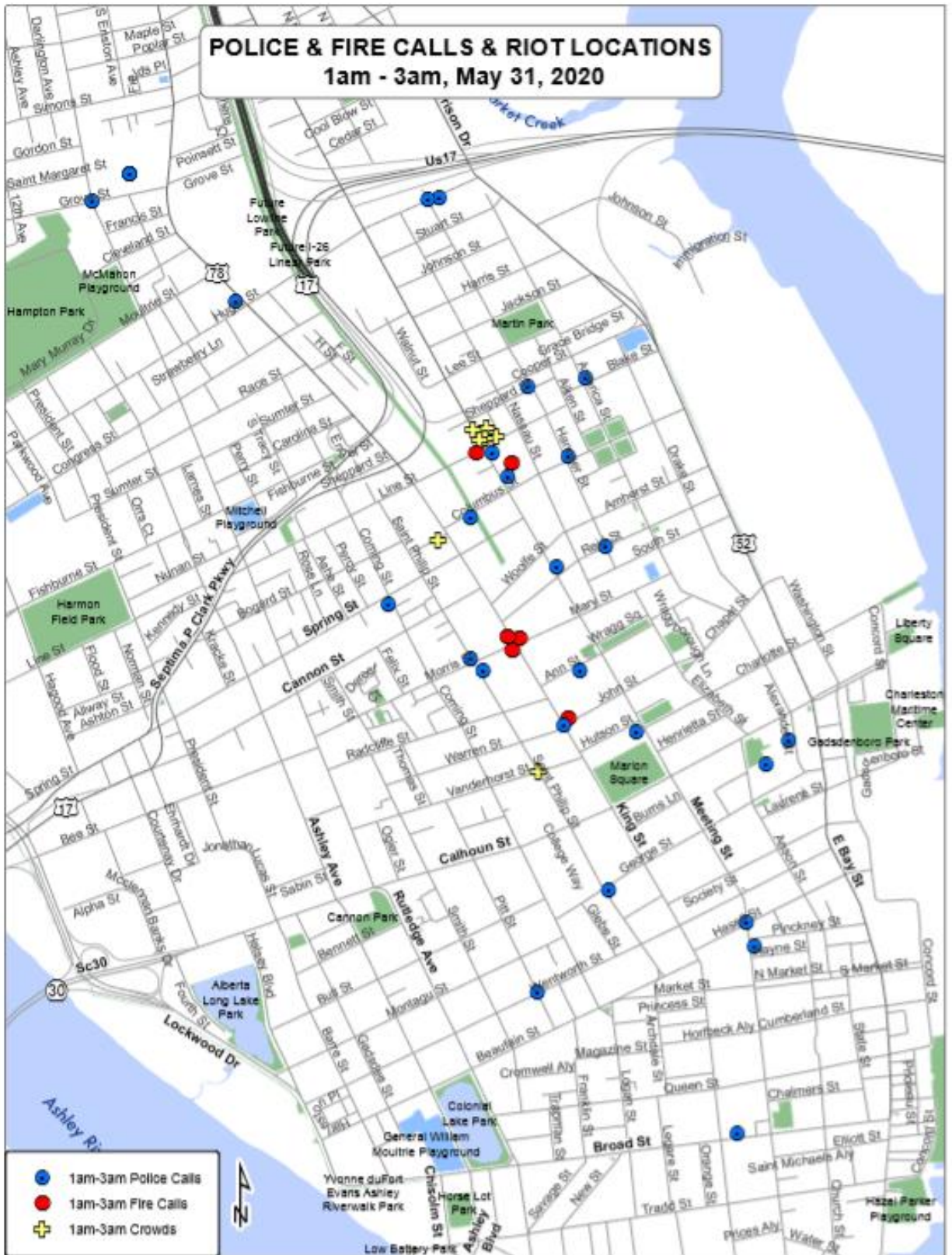


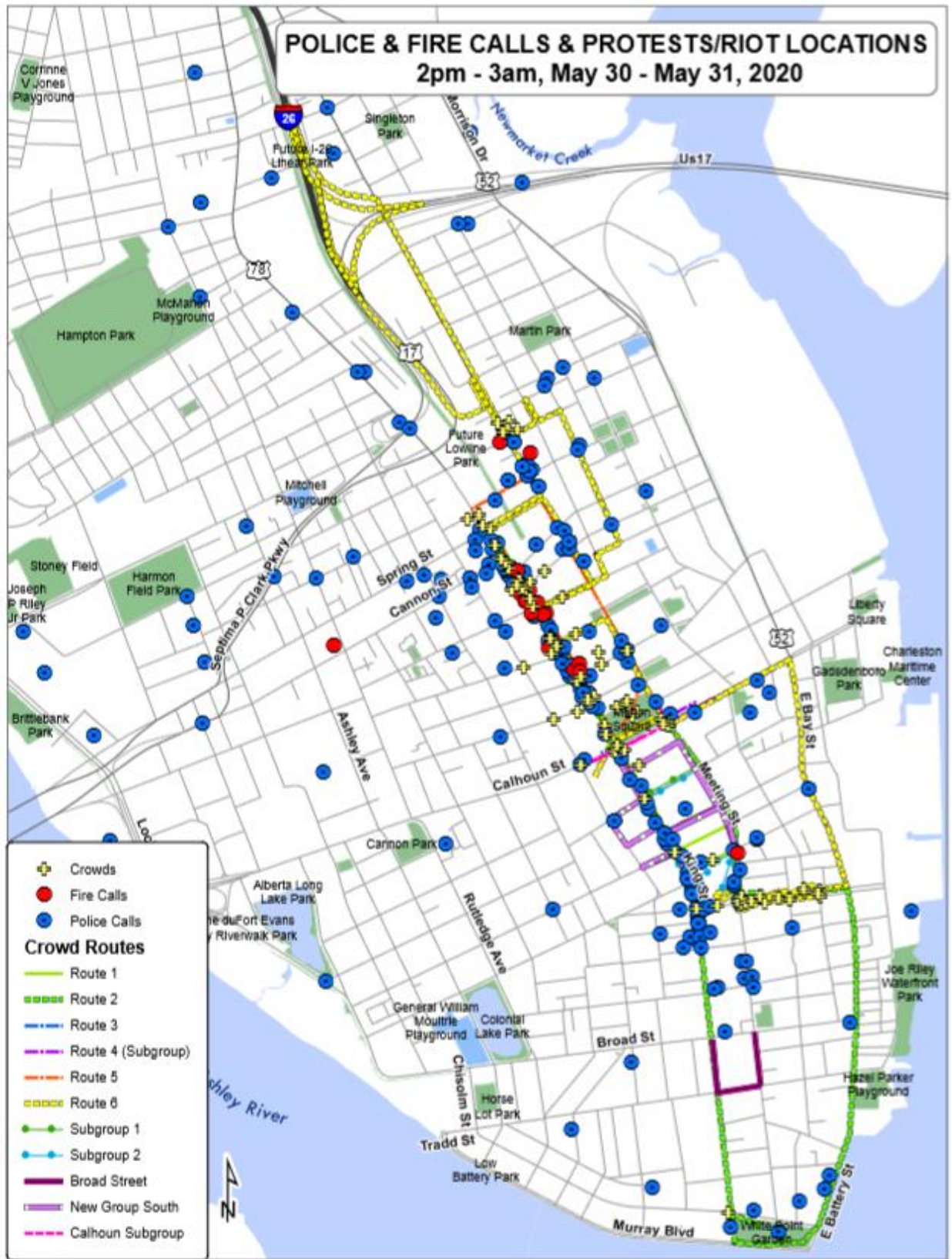




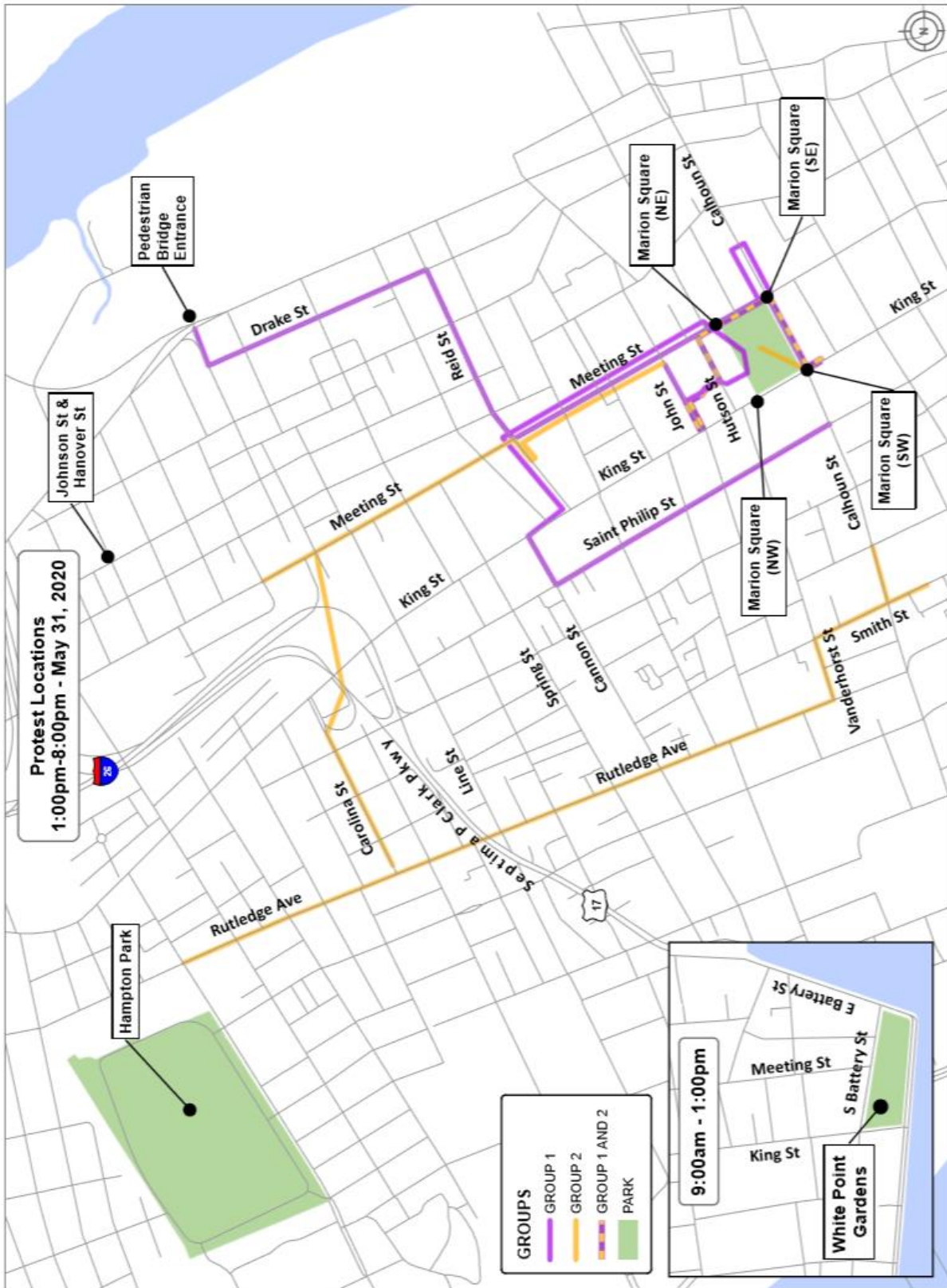












## Appendix 2: Memorandum to Corporation Counsel

### MEMORANDUM

TO: Susan Herdina, Corporation Counsel  
FROM: Heather Mulloy, Assistant Corporation Counsel  
DATE: July 1, 2020  
RE: FOIA Review of Incident Channel 3 Audio 5/30/20-5/31/20

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Susan – you asked me to review 6.5 hours of audio from the Consolidated Dispatch Center for FOIA purposes. I have reviewed the entire 6.5 hours and have indicated just some of the events, below. After listening to the audio in its entirety, I do not find that any redactions are necessary. Additionally, at no time did I hear a “stand-down” order.

Please note that the tape condenses approximately 13 hours of actual time into 6.5 hours. The numbers you see on the link do not represent actual time. In other words, any lag time between radio transmissions has been taken out. I tried to approximate the real time of the transmissions to actual time. The times I came up with below are approximate.

It should be noted that the audio I reviewed consists only of radio transmissions of Incident Channel 3. Incident Channel 3 was specifically set up for the protests on May 30, 2020. Any calls for service coming in from the Peninsula go to a separate channel and are handled there. Although you may hear dispatch calls on this channel, many times they are advisory in nature. Please note that in addition to Incident Channel 3 activities and the information contained in the calls, PSOC Command was sending patrol units and Quick Response Vehicle (QRV) units in response to dispatched calls, assisting Fire on calls, calling out for additional resources, coordinating a reverse-911 call, adjusting schedules of officers to bring additional units in, and continually re-assessing the situation with a goal of a methodical approach to rid the Peninsula of rioters.

A combined total of 238 officers were in service to respond to the protests and riots on that date. A collaboration between several jurisdictions included: CPD (92 officers), Charleston County, Mt. Pleasant, Berkeley County, North Charleston, Goose Creek, Summerville, SLED, DNR and PPP (Probation and Parole).

In all, 10 arrests were made that evening. Since that time, a total of 74 arrest warrants have been issued; 27 offenders have been identified and 65 warrants have been served. The total number of offenders who have been arrested to date is 23. The crimes committed range from arson, burglary, inciting a riot, assault and battery on citizens and police officers to damage to property.

The audio can be divided into two sections: (1) the protests – which began at 2:00 p.m. and (2) the riots – which began around the 8:00 p.m. hour

#### INCIDENT CHANNEL 3 RADIO TRANSMISSIONS 5/30/20-5/31/20

##### SATURDAY 5/30/20

##### **THE PROTESTS:**

##### 2:00 p.m. to 4:00 p.m.

CPD enacted an Incident Action Plan (IAP) for a demonstration at Marion Square. Command is in the Public Safety Operation Center (PSOC) at Headquarters. CPD officers are also present in the field to monitor the demonstration. The crowd increases in size during this period and CPD and Mt. Pleasant CDU (Civil Disturbance Units) are staged at the Gaillard to support, if necessary.

At some point during this time period, demonstrators begin marching on the streets around Marion Square; CPD units are monitoring and marching with protestors, directing traffic and closing intersections, as needed.

PSOC Command deploys CPD CDU and Mt. Pleasant CDU to shut down an intersection which is later opened up to alleviate the gathering of the crowd. The PSOC Command Plan is to let the crowd continue to march, as long as they are peaceful.

##### 4:00 p.m. -5:00 p.m.

Peaceful protesting continues, traffic containment continues. There is a notation of vandalism at White Point Gardens. At one point, there is a disturbance at King and Calhoun and PSOC Command sends CPD CDU and Mt. Pleasant CDU to assist. The crowd calms.

##### 5:00 p.m.-6:00 p.m.

Protestors continue marching, crowd containment and traffic management continues. At Meeting and Calhoun, protestors are challenging Mt. Pleasant CDU, but are non-violent. PSOC Command instructs Mt. Pleasant CDU to disengage if necessary to avoid escalation of the situation. Glass on one of Mount Pleasant's vehicles is destroyed. There is graffiti noted at some businesses and glass is broken on a Mt. Pleasant police car. PSOC Command advises that the rain is coming and will disperse the crowd.

5:30 p.m. (approx.)

Rain comes in and the majority of the crowd disperses. PSOC Command decides to hold day-shift over.

6:00 p.m. - 7:00 pm

A much smaller crowd is headed to the Ravenel Bridge. PSOC Command sends Charleston County, Mt. Pleasant and CPD CDU teams to the bridge to shut down the interstate and to protect protestors and vehicles stuck in traffic. Protestors begin going up exit ramps and some jump the median.

7:00 p.m. - 8:00 p.m.

PSOC Command advises to make arrests, if needed. Protestors begin leaving the bridge area to march back to the Peninsula. There is a report of a fire in the grass that is not confirmed and notation that Air 1 (Charleston County helicopter) has been staged. There are separate groups of protestors throughout the Peninsula. Protestors head to the Market. CPD is walking with protestors and monitoring.

## THE RIOT

8:00 p.m. - 9:00 p.m.

The Riot begins. Rioters are in the Market, flipping tables, smashing windows, fighting, assaulting citizens and throwing objects at officers. PSOC Command is instructing CDU units to get to the Market to make arrests and deploy less lethal. CPD Command advises CPD on the ground to arrest when support arrives. At this point, some dispatch calls can be heard.

The fighting continues and Charleston County and CPD CDU units arrive to contain rioters. A group is coming up behind officers to attack them. There are rioters between the CDU units and also flanking them. Rioters begin moving toward Meeting Street; continuing the attack. CPD Command continues to authorize arrests and deployment of less lethal. CPD Command is planning to push rioters towards East Bay to stay away from King Street. CPD Command plans to push the rioters north and out of the Peninsula.

9:00 p.m.- 10:00 p.m.

The riot continues. Rioters are now up on King Street at Charleston Place. There is continued fighting and destruction. There is continued advisement of less lethal. The Charleston County Air 1 helicopter arrives to assist in making dispersal announcements and assist PSOC COMMAND in tracking the movement of the rioters. Dispatch calls can be heard. QRV units are patrolling King Street. Rioters are near King Street. CDU units are at King and Calhoun and Meeting and Calhoun, forming lines to push north on King. Gas is deployed and other less



lethal to move north on King. Reports of rioters chasing officers and throwing bottles at officers can be heard.

The CDU lines begin to move North on King in an effort to disperse the rioters. Rioters come out of the dark in Marion Square and attack the CDU units and flank them. CDU Units have to retreat to King and Calhoun and King and Meeting and hold the territory until support called out arrives.

**10:00 p.m. – 11:00 p.m.**

The riot continues. More resources have arrived. CDU units at the Calhoun intersections continue to disperse with less lethal and begin moving up King Street. QRV units, SLED, patrol assist with calls for service, fire calls. An officer on King Street can be heard yelling for assistance. He is alone and being chased by a mob. Sufficient support arrives to assist CDU in moving North past Marion Square.

**11:00 p.m. -12:00 a.m.**

The riot continues. More resources are coming and more groups coming around to attack police. There is continued advisement of less-lethal. More support units are arriving from outside agencies. Calls for Fire continue. CDU units continue to push north.

**12:00 a.m. – 1:00 a.m.**

CDU units and supporting agencies continue to work together and methodically move past each side street to clear every street as they move to clear the rioters out of the Peninsula. Calls continue; fire calls continue. Arrests are made.

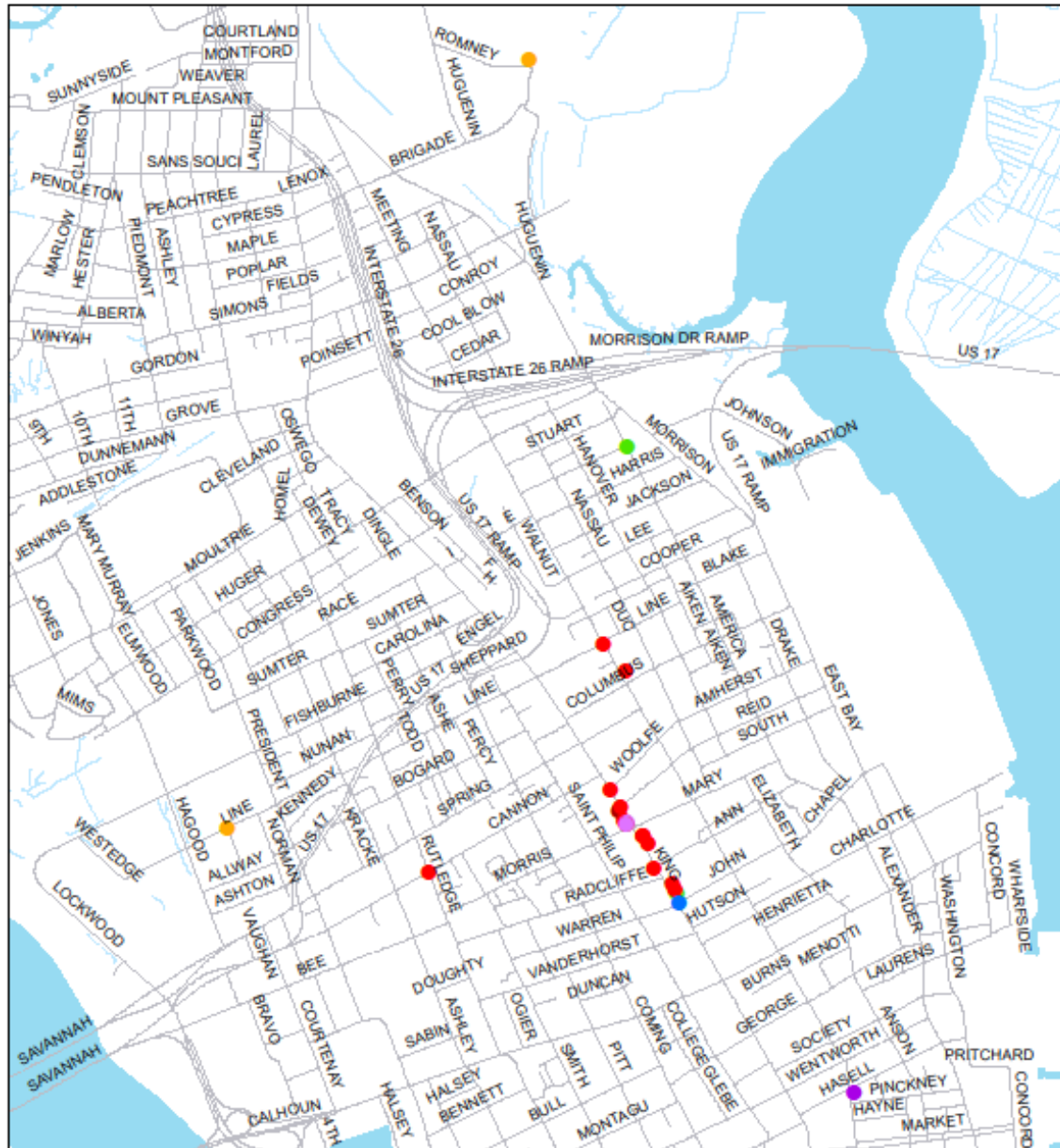
**1:00 a.m. to 3:00 a.m.**

All units continue to move forward and push all rioters out of the Peninsula. Fire calls continue; arrests are made.

Please let me know whether you have any questions.

## Appendix 3: Fire Department NFIRS Fire Incidents Map

### City of Charleston Fire Department NFIRS Fire Incidents in City Jurisdiction May 30, 2020 15:00 - May 31, 2020 22:00



Source: Charleston County Dispatch Center, Accred\_ISO\_CHFD Report, September 2020 Issue.  
Incident Type pulled from FireHouse.

Footnotes: Only NFIRS 100 Series incident types (fires) were included,  
only incidents inside City of Charleston jurisdiction were included  
Created by: CFD Fire Data Analyst; September 22, 2020

- Incident Type**
- Building fire
  - Dumpster or other outside trash receptacle fire
  - Fire, Other
  - Fuel burner/boiler malfunction, fire confined
  - Outside rubbish, trash or waste fire
  - Passenger vehicle fire
  - Trash or rubbish fire, contained

**City of Charleston Fire Department**  
**NFIRS Fire Incidents in City Jurisdiction**  
**May 30, 2020 15:00 - May 31, 2020 22:00**

Incident Number	Response Date	Address	NFIRS Incident Type
20-0065669	5/30/2020 20:50:00	232 Meeting St	Passenger vehicle fire
20-0065668	5/30/2020 21:00:00	535 King St	Fire, Other
20-0036082	5/30/2020 22:05:54	434 King St	Outside rubbish, trash or waste fire
20-0036086	5/30/2020 22:27:10	King St / Woolfe St	Building fire
20-0036093	5/30/2020 22:33:58	484 King St	Building fire
20-0036098	5/30/2020 22:39:15	438 King St	Building fire
20-0036101	5/30/2020 22:44:04	473 King St	Building fire
20-0036109	5/30/2020 23:09:56	484 King St	Building fire
20-0036122	5/30/2020 23:35:51	211 Rutledge Ave	Building fire
20-0036132	5/31/2020 0:05:40	525 King St	Building fire
20-0036151	5/31/2020 0:48:22	King St / Reid St	Building fire
20-0036163	5/31/2020 1:00:15	517 King St	Trash or rubbish fire, contained
20-0036165	5/31/2020 1:03:42	472 Meeting St	Building fire
20-0036170	5/31/2020 1:13:51	Meeting St / Line St	Building fire
20-0036175	5/31/2020 1:27:32	517 King St	Building fire
20-0036180	5/31/2020 1:59:49	517 King St	Trash or rubbish fire, contained
20-0036184	5/31/2020 2:52:58	John St / King St	Fuel burner/boiler malfunction, fire confined
20-0036247	5/31/2020 11:46:59	476 King St	Building fire
20-0036293	5/31/2020 14:14:47	442 King St	Building fire
20-0036358	5/31/2020 19:08:23	Johnson St / America St	Outside rubbish, trash or waste fire
20-0036390	5/31/2020 20:55:46	130 N Romney St	Dumpster or other outside trash receptacle fire
20-0036408	5/31/2020 21:51:19	Flood St / Line St	Dumpster or other outside trash receptacle fire

Source: Charleston County Dispatch Center, Accred\_ISO\_CHFD Report, September 2020 Issue. Incident Type pulled from FireHouse.

Footnotes: Only NFIRS 100 Series incident types (fires) were included, only incidents inside City of Charleston jurisdiction were included

Preliminary Report

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